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SOUTHCENTRAL FEDERAL SUBSISTENCE  
REGIONAL COUNCIL MEETING

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VOLUME I

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12

Anchorage, Alaska

13

March 5, 2002

14

8:30 o'clock a.m.

15

16

17 COUNCIL MEMBERS PRESENT:

18

19 Ralph Lohse, Chairman

20 Fred H. Elvsaas, Vice Chair

21 Fred John, Jr.

22 Susan Wells

23 Robert Churchill

24 Gilbert Dementi, Sr.

25

26 Coordinator: Ann Wilkinson

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1 P R O C E E D I N G S

2

3 (On record)

4

5 CHAIRMAN LOHSE: I'd like to call the  
6 Spring meeting -- this is the Spring 2002 meeting of the  
7 Southcentral Subsistence Regional Advisory Council -- to  
8 order, in session. And, again, I'd like to repeat that  
9 if you haven't signed in make sure you do so. There's  
10 handouts on the back table. And anything else that we  
11 need to tell them at this point in time?

12

13 MS. WILKINSON: Mr. Chairman, if anyone  
14 wishes.....

15

16 CHAIRMAN LOHSE: Testify.

17

18 MS. WILKINSON: .....give testimony, they  
19 will need to fill out one of the blue sheets on the sign-  
20 in table and bring it to me, please. Thank you.

21

22 CHAIRMAN LOHSE: Thank you, muchly, Ann.  
23 With that, we'll have a roll call and establish a quorum.

24

25 MS. WILKINSON: Thank you, Mr. Chairman.  
26 Gilbert Dementi.

27

28 MR. DEMENTI: Here.

29

30 MS. WILKINSON: Ken Vlasoff.

31

32 (No audible response)

33

34 MS. WILKINSON: Fred Elvsaas.

35

36 MR. ELVSAAS: Here.

37

38 MS. WILKINSON: Susan Wells.

39

40 MS. WELLS: Here.

41

42 MS. WILKINSON: Robert Churchill.

43

44 MR. CHURCHILL: Here.

45

46 MS. WILKINSON: Fred John.

47

48 MR. JOHN: Here.

49

50 MS. WILKINSON: Ralph Lohse.

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1 CHAIRMAN LOHSE: Here.

2

3 MS. WILKINSON: Mr. Chairman, we do have  
4 a quorum established.

5

6 CHAIRMAN LOHSE: Thank you, Ann. With  
7 that, I'd like to welcome everybody to this Spring 2002  
8 meeting of the Southcentral Regional Advisory Committee.  
9 What we usually do is we usually go around and give  
10 introductions. We'll start with ourself, and we'd like  
11 everybody in the room to introduce themselves, too. So,  
12 what we'll do is well just start. When it comes time for  
13 the people in the audience, we'll just in this front row  
14 and just work your way back and work your way around.  
15 Tell who you are and who you represent, or anything that  
16 you'd like to give of interest to yourself. With that,  
17 Susan.

18

19 MS. WELLS: Susan Wells, Kenai.

20

21 MR. JOHN: Fred John, Jr., Mentasta Lake.

22

23 CHAIRMAN LOHSE: Ralph Lohse, Chitina.

24

25 MR. ELVSAAS: I'm Fred Elvsaas, Seldovia.

26

27 MR. DEMENTI: Gilbert Dementi, Cantwell.

28

29 MR. CHURCHILL: Bob Churchill, Anchorage.

30

31 MS. PETRIVELLI: Pat Petrivelli, Office  
32 of Subsistence Management.

33

34 MR. KNAUER: Bill Knauer, Office of  
35 Subsistence Management.

36

37 MR. BOYD: Tom Boyd, Assistant Regional  
38 Director, Office of Subsistence Management, Fish and  
39 Wildlife Service.

40

41 MS. GOTTLIEB: Judy Gottlieb, with the  
42 National Park Service.

43

44 MS. SHARP: Devi Sharp, Wrangell-St Elias  
45 National Park and Preserve.

46

47 MR. TWITCHELL: Hollis Twitchell, Denali  
48 National Park and Preserve.

49

50 MR. BURCHAM: Milo Burcham, the Forest

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1 Service in Cordova.

2

3 MR. KING: Mark King, Native Village of  
4 Eyak, Cordova.

5

6 MR. TAUBE: Tom Taube, Alaska Department  
7 of Fish and Game, Glennallen.

8

9 MS. SCOTTON: Sandy Scotton, Wrangell-St.  
10 Elias National Park.

11

12 MS. JARRETT: Danielle Jarrett, Fish and  
13 Wildlife Service.

14

15 MR. VOSS: Greg Voss, Fish and Wildlife  
16 Service.

17

18 MR. NELSON: Dave Nelson, National Park  
19 Service, fishery biologist here in Anchorage.

20

21 MR. BUCKLIS: Larry Bucklis, Office of  
22 Subsistence Management. I'm a fishery biologist assigned  
23 to this Council team.

24

25 MR. VEACH: Eric Veach, Wrangell-St.  
26 Elias National Park.

27

28 MS. STICKWAN: Gloria Stickwan, Copper  
29 River Native Association.

30

31 MS. ROGERS: I'm Kari Rogers, and I'm a  
32 biologist for the BLM in Glennallen.

33

34 MS. TAKESHORSE: I'm Brenda Takeshorse,  
35 liaison for the BLM.

36

37 MR. BRELSFORD: Good morning. I'm Taylor  
38 Brelsford, and I serve with the BLM as the Staff  
39 Committee member.

40

41 MR. UBERUAGA: Richard Uberuaga, Office  
42 of Subsistence Management.

43

44 MR. HOLBROOK: Ken Holbrook, Chugach  
45 National Park.

46

47 MR. LAMBERT: Mike Lambert, Native  
48 Village of Eyak, tribal biologist out of Cordova.

49

50 MR. ZEMKE: Steve Zemke, Chugach National

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1 Forest.

2

3 MR. CARPENTER: Michael Carpenter. I'm  
4 just an observer, making sure you guys are doing your  
5 job.

6

7 MR. HALL: Jim Hall. I'm here with the  
8 Kenai National Wildlife Refuge.

9

10 MR. REID: Mason Reid, Wrangell-St. Elias  
11 National Park and Preserve.

12

13 MR. LAPLANT: Dan Laplant, Office of  
14 Subsistence Management.

15

16 UNIDENTIFIED SPEAKER: Excuse me, we left  
17 out the people in the back row.

18

19 CHAIRMAN LOHSE: I already saw that.  
20 I'll get them.

21

22 UNIDENTIFIED SPEAKER: Okay.

23

24 MS. HILDEBRAND: Ida Hildebrand, BIA  
25 Staff Committee member.

26

27 MS. DEWHURST: Donna Dewhurst, Office of  
28 Subsistence Management.

29

30 MS. WRIGHT: I'm Sherry Wright, with the  
31 Department of Fish and Game. I'm the Board Support  
32 Southcentral Coordinator.

33

34 MR. HAYNES: Terry Haynes, Department of  
35 Fish and Game, State's liaison team.

36

37 MR. DAVIS: Richard Davis, Office of  
38 Subsistence Management, Public Affairs Specialist.

39

40 MS. HAMILTON: Deanne Hamilton, Native  
41 Voice Communications. We're working on a half-hour  
42 program for U.S. Fish and Wildlife on the RAC's and the  
43 public participation.

44

45 REPORTER: Nathan Hile. I represent  
46 Computer Matrix. I'm the court reporter.

47

48 CHAIRMAN LOHSE: Can you get the back row  
49 back there?

50

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1 MS. LOHSE: Lonita Lohse, Chitina Native  
2 Corporation.

3  
4 MR. LOHSE: Robert Lohse, Lower Tonsina.

5  
6 MR. GOODLATAW: Johnny Goodlataw, Tazlina  
7 Village.

8  
9 MS. NICHOLAS: Jane Nicholas, Cantwell.

10  
11 MR. EWAN: Morris Ewan, Gulkana Village.

12  
13 CHAIRMAN LOHSE: Thank you all for  
14 introducing yourselves, and we'll try our best to  
15 remember who everyone is, although we won't do it  
16 perfectly. But, it's always nice to see somebody other  
17 than staff out there. So, with that, we'll go on to the  
18 review and the adoption of the agenda as it's printed  
19 before you. Do I have any revisions or additions that  
20 anybody would like to add to it at this point in time or  
21 would like a change in order? Sorry. Do we have any  
22 other.....

23  
24 MR. HOLBROOK: Mr. Chairman.

25  
26 CHAIRMAN LOHSE: Yes.

27  
28 MR. HOLBROOK: I'd like to add the Forest  
29 Service to the Staff Committee Reports.

30  
31 CHAIRMAN LOHSE: You'd like to add the  
32 Forest Service to the Staff Committee Reports? Any other  
33 additions or changes that anybody would like to make to  
34 the agenda?

35  
36 (No audible responses)

37  
38 CHAIRMAN LOHSE: Hearing none, a motion  
39 to adopt the agenda is in order.

40  
41 MR. CHURCHILL: So moved.

42  
43 MS. WELLS: I'll second.

44  
45 CHAIRMAN LOHSE: It's been moved and  
46 seconded to adopt the agenda. Any discussion? If not,  
47 the question has been called. All in favor, signify by  
48 saying Aye.

49  
50 IN UNISON: Aye.

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1 CHAIRMAN LOHSE: All opposed, signify by  
2 saying nay.

3  
4 (No opposing responses)

5  
6 CHAIRMAN LOHSE: Motion carries. At this  
7 point, we go to the review and the adoption of the  
8 minutes on tab B in your folder. A motion to adopt the  
9 minutes is in order so that we can put it up for  
10 discussion. Do I hear a motion to adopt the minutes of  
11 the October 1st through 3rd Fall Meeting of the  
12 Southcentral Regional Advisory Council?

13  
14 MR. ELVSAAS: I'll move.

15  
16 CHAIRMAN LOHSE: It's been so moved. Do  
17 I hear a second?

18  
19 MR. CHURCHILL: Second.

20  
21 CHAIRMAN LOHSE: It's been moved and  
22 seconded. Okay, discussion? Any additions, changes or  
23 corrections? Ann.

24  
25 MS. WILKINSON: Mr. Chairman, I was  
26 informed last week by telephone that I made an error on  
27 page seven under public testimony regarding Wilson Justin  
28 -- that he is a member of the Cheesh' Na Council. And  
29 then, on.....

30  
31 CHAIRMAN LOHSE: Okay, instead of the  
32 Chitina?

33  
34 MS. WILKINSON: Right. And.....

35  
36 CHAIRMAN LOHSE: Yeah.

37  
38 MS. WILKINSON: .....I know that. I  
39 don't know why I put it in incorrectly.

40  
41 CHAIRMAN LOHSE: Uh-huh. I missed it.

42  
43 MS. WILKINSON: And then, on the last  
44 paragraph, Mr. Joseph Hart, representing the Ahtna Land  
45 Department. And those are the only two that I am aware  
46 of.

47  
48 CHAIRMAN LOHSE: Now, is that the Ahtna  
49 Land Department of the corporation?

50

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1 MS. WILKINSON: Yes.

2

3 CHAIRMAN LOHSE: So, it's -- okay. Are  
4 there any others? Bob.

5

6 MR. CHURCHILL: Not a correction, but  
7 just a question. On page two, at the bottom, it says --  
8 referring to Mr. Boyd's comments -- it says he also  
9 confirmed that an immediate effect would be to provide  
10 subsistence users a priority in times of shortage. This  
11 may go with the discussion later. I was curious. Is  
12 that a shortage in terms of the resource? In other  
13 words, say, a total run of sockeyes is considerably down,  
14 or does that focus on harvest? You may have situations  
15 where you have a shortage in terms of harvest but not in  
16 resource. Is that something that the Committee has  
17 discussed, or is that something we can talk about later?

18

19 CHAIRMAN LOHSE: We can talk about it  
20 later, Bob, but my understanding is that's a resource  
21 issue right there, when there's a shortage of the  
22 resource, not a shortage of the harvest.

23

24 MR. CHURCHILL: Thank you.

25

26 CHAIRMAN LOHSE: I'll stand corrected if  
27 any of the other Council members -- okay, thank you.  
28 Fred, do you have something to say?

29

30 MR. ELVSAAS: No.

31

32 CHAIRMAN LOHSE: Well, if there's no  
33 further discussion, we have a motion on the table.  
34 Question is in order.

35

36 MR. ELVSAAS: Question.

37

38 CHAIRMAN LOHSE: The question has been  
39 called. All in favor of approving the October 1st  
40 through 3rd minutes of the Southcentral Subsistence  
41 Regional Advisory Council signify by saying Aye.

42

43 IN UNISON: Aye.

44

45 CHAIRMAN LOHSE: All opposed, signify by  
46 saying nay.

47

48 (No opposing responses)

49

50 CHAIRMAN LOHSE: Motion carries. Okay,



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1 at this point in time, we have the Chair's report.  
2 That's me. I don't have a lot to report that isn't here  
3 under tab C. If anybody wants me to go through all of  
4 stuff on tab C, I can. Otherwise, you can look under tab  
5 C in your book. We basically have a Council Chairs  
6 meeting that's chaired by Bill Thomas from Southcentral  
7 prior to the Board meeting in December. If you turn to  
8 tab C, you can see we discussed quite a few things,  
9 everything from compensation to Council members to the  
10 need for interaction with foreign nations and entities on  
11 resources across the line, like salmon. We asked for --  
12 not representation, but that we be included, at least, in  
13 North Pacific Fishery Management Council programs so that  
14 we could at least have input and know what's going on.  
15 Quite a few different things. Like I said, if you look  
16 under tab C, it's there. The biggest one is, as  
17 everybody knows, customary trade. And, as that has been  
18 brought to the individual Councils, there's really no  
19 need to go over what we, as Chairs -- to go over what we  
20 said on it. Basically, what we said is in the minutes  
21 right here. The action that the Board took on the  
22 proposals that we recommended or didn't recommend can be  
23 found on pages 10, 11, and 12. If there's any questions  
24 on any of those, I'll be happy to try to answer them for  
25 you, or we can get a member of the staff to answer them  
26 for you. And that's pretty much what we did. I'm  
27 looking -- I'm trying to remember on the 805 Letter, Ann.  
28 Can you refresh my mind on that one there? I don't  
29 remember that one. I lost it.

30

31 MS. WILKINSON: Mr. Chairman, that is the  
32 one on page nine?

33

34 CHAIRMAN LOHSE: That is the one on page  
35 9.

36

37 MS. WILKINSON: Yeah.

38

39 CHAIRMAN LOHSE: Okay. That's the.....

40

41 MS. WILKINSON: That's the response from  
42 the.....

43

44 CHAIRMAN LOHSE: That's their reply to  
45 us.

46

47 MS. WILKINSON: Right.

48

49 CHAIRMAN LOHSE: Okay. I guess it just  
50 wasn't classed as that, and I missed it. Any other

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1 questions? Any questions from the Council on the Chairs  
2 meeting or the Board meeting? The Board's been very good  
3 at letting the Council have input, both in the Board  
4 meeting and in the Chair board meeting ahead of time. I  
5 feel like we have a fairly good rapport with them, a  
6 fairly good working relationship. In fact, a real good  
7 working relationship. With that, we're going to go on to  
8 number 7 on our agenda, which is to elect a Council  
9 secretary. At this point in time, nominations are in  
10 order.

11  
12 MR. ELVSAAS: Mr. Chairman.

13  
14 CHAIRMAN LOHSE: Yes, Fred.

15  
16 MR. ELVSAAS: Could you outline what the  
17 secretary does?

18  
19 CHAIRMAN LOHSE: Mr. Chairman, I'm going  
20 to leave that up to Ann to give us a rough outline on  
21 that.

22  
23 MS. WILKINSON: Primarily, the duties of  
24 the secretary would be to take the roll call and  
25 establish a quorum; to -- it would be very helpful for me  
26 to really review the minutes thoroughly -- the draft  
27 minutes; and, also, in case the Chairman or Vice Chair is  
28 not present to chair the meeting.

29  
30 CHAIRMAN LOHSE: Does that answer your  
31 question?

32  
33 MR. ELVSAAS: But you take the minutes,  
34 right?

35  
36 MS. WILKINSON: Yes.

37  
38 MR. ELVSAAS: Yeah. So, it's not a --  
39 oh, I'm out of it, because I'm Vice Chair. But, just  
40 everybody understands, it's not a 24-hour job, but we do  
41 need a secretary.

42  
43 CHAIRMAN LOHSE: Do I hear any  
44 nominations? Do I hear any volunteers?

45  
46 MR. CHURCHILL: Sure. I'd be happy to  
47 volunteer.

48  
49 CHAIRMAN LOHSE: Volunteer, okay. Are  
50 there any other nominations or volunteers? Don't

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1 everybody speak at once.

2

3 MR. ELVSAAS: Do you need to formalize  
4 that in a motion?

5

6 CHAIRMAN LOHSE: Yeah. We need to  
7 formalize that in a motion.

8

9 MR. ELVSAAS: I would move that we  
10 nominate Robert Churchill for secretary.

11

12 CHAIRMAN LOHSE: Do I hear a second?

13

14 MR. DEMENTI: I second it.

15

16 CHAIRMAN LOHSE: And moved and seconded.  
17 Any further discussion, or anybody else would like to put  
18 their name on the agenda? Hearing none, motion is in  
19 order. All in favor, signify by saying Aye.

20

21 IN UNISON: Aye.

22

23 CHAIRMAN LOHSE: Opposed, signify by  
24 saying nay.

25

26 (No opposing responses)

27

28 CHAIRMAN LOHSE: Motion carries. You're  
29 it. Okay, at this point in time, I'm going to reiterate  
30 what Ann said before. We have opportunities for public  
31 testimony. There are blue slips back there that look  
32 like this. They need to be filled out and given to Ann  
33 if you wish to testify on an issue. You can testify at  
34 any time during this meeting, and if you have a number of  
35 proposals you'd like to testify on directly you can  
36 indicate that on your blue slip. If you'd like to just  
37 testify in general at public testimony time, which is  
38 right now, you can indicate that on your slip.

39

40 And we kind of run an open meeting that  
41 way. We give anybody the opportunity to testify if  
42 they've got something that they think that they can add  
43 to any of our discussion that's going on. We run a very  
44 open meeting when it comes to allowing public testimony.  
45 And, on there, it's got a proposal number. If you put  
46 the proposal number on, then what we'll do is we'll call  
47 on you when we deal with that proposal. If you'd like to  
48 just testify in general, we'll allow you to do it now or  
49 at any other time during the meeting. So with that in  
50 order, I've got a couple up here, but both of them, I

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1 think, are for specific proposals. And, if I'm not  
2 wrong, I will save until we get on those proposals. So,  
3 if there's anybody else that wishes to testify, fill out  
4 a blue slip and give it to Ann.

5  
6 With that, we're going to go on to tab D  
7 in your folder. Ann, everybody has access to a folder  
8 like this, right?

9  
10 MS. WILKINSON: (Inaudible reply)

11  
12 CHAIRMAN LOHSE: Okay. Tab D are the  
13 proposals that we have before us. Or, actually, tab D is  
14 the procedure for submitting a proposal, and proposals  
15 can be submitted by anybody. And, as we go through these  
16 proposals, what we're going to do as we're going to  
17 discuss them -- we're going to, first of all, introduce  
18 the proposal and give an analysis of it by the staff.  
19 The Alaska Department of Fish and Game is going to be  
20 open for comments. We're going to allow any other agency  
21 to give comments. The Fish and Game advisory committees  
22 are open for comments, and we'll have a summary of the  
23 written public comments. We'll have public testimony.  
24 And then, the Council will go into deliberation,  
25 recommendation, and voting on the proposals before us.

26  
27 With that, we're going to go on to  
28 proposal one, which is to include brown and black bears  
29 in the furbearer's definition and allow parts to be sold  
30 and that's going to be introduced by Donna Dewhurst and  
31 you'll find that under tab D.

32  
33 MS. DEWHURST: That's correct, to be tab  
34 D and starting on page one. This proposal was submitted  
35 by Craig Fleener of Fort Yukon, and, as Mr. Chair said,  
36 it requests black and brown bears to be classified as  
37 furbearers. At the previous Councils I presented this  
38 at, I've kind of gotten some funny looks when I said that  
39 because they understand what the implications of that  
40 are. It's two-fold. One is, if we classify them as  
41 furbearers, it means we could therefore leghold traps to  
42 trap them where, right now, that's illegal. And the  
43 other aspect and the more important aspect is it would  
44 allow the sale of bear parts -- hides, claws, gall  
45 bladders, whatever -- bear parts.

46  
47 This issue has been around for a long  
48 time. The sale of brown bears -- basically, brown bear  
49 parts -- has been illegal since 1925, so way before we  
50 were even a state. Black bears was legal up until the

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1 early 70's, and then the sale of black bear hides then  
2 became illegal. There is a large commercial market for  
3 these bear parts -- the hides, the claws, skull, teeth,  
4 gall bladders especially. And in some parts of Canada  
5 and certain states in the Lower 48 it actually is legal,  
6 primarily the black bear parts. Most areas still protect  
7 brown bears.

8

9           The other issue that gets involved is  
10 there's also a very extensive black market for these  
11 parts, which has been a problem in Alaska, especially  
12 when we start talking gall bladders. There is an Asia  
13 market. Gall bladders are considered an aphrodisiac in  
14 Asia, and people will pay a great deal of money for just  
15 the gall bladders. Same with the claws. The claws can  
16 be ground up and considered to be an aphrodisiac.

17

18           So that's one side of the coin,  
19 basically. The other aspects -- many parts of the State,  
20 there are cultural reasons to not permit the sale. For  
21 example, Inupriats of the Seward Peninsula and western  
22 Alaska feel very strongly to protect -- the hunting of  
23 bears is -- bears are considered to be sacred and you  
24 don't discuss it. You would not discuss the sale, and  
25 selling parts would be not giving due respect to the  
26 bears. So, it has a cultural aspect also.

27

28           This proposal is statewide, so it's going  
29 to all the Councils. It has already gone to, I believe,  
30 three Councils. I presented at two of three. Just to  
31 give you a quick synopsis, North Slope Council supported  
32 the staff recommendation, which we'll get to in a minute.  
33 Seward Peninsula Council, they opposed the proposal.  
34 They didn't go with the staff recommendation because the  
35 aspect of allowing handicrafts of black bears -- they  
36 don't have very many black bears on the Seward Peninsula,  
37 so they basically didn't want to vote on anything that  
38 concerned black bears until they heard more from the  
39 Athabaskans of the interior. So they felt like they  
40 didn't have adequate information, so they didn't want to  
41 deal with that aspect of the proposal. So they basically  
42 opposed it, in general. And then the other Council  
43 that's already reviewed it is Eastern Interior, which is  
44 where the proponent is, and they basically deferred it  
45 because the proponent, Craig Fleener, is with the  
46 National Guard and he's unavailable to explain why he  
47 made the proposal or any of the details. So they  
48 deferred dealing with it at this time because of that.  
49 So that's what the three Councils that have addressed it  
50 so far have felt. Like I mentioned, this will go to all

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1 the Councils, and everybody will get a shot at it.

2

3                   The staff recommendation is, in general,  
4 to oppose the proposal primarily because, on the State  
5 side, it's illegal and there are a lot of complex issues  
6 involved with commercialization of the sales. And, like  
7 I mentioned, the whole black market issue is a very  
8 sensitive issue for a lot of people. And you can look at  
9 one side of the coin and I think part of why it was  
10 originally proposed was the concern that bears in many  
11 parts of the State are getting too common and if we  
12 allowed sale of certain parts it would promote people to  
13 hunt and trap bears and that, I think, was the idea. But  
14 the other concern on the other side of the coin is the  
15 danger of opening up something that could get out of hand  
16 with commercialization of the sales. So, in general,  
17 given these legal and jurisdictional issues and the whole  
18 aspect of being very careful in going into the commercial  
19 market, we're opposing it. But, under State regulation,  
20 there is one aspect that's legal right now and that is  
21 handicrafts from the fur of black bears are allowed to be  
22 sold under State law; and, under current Federal  
23 regulations, they are not. So, the one thing under the  
24 staff recommendation is we're opposing all aspects except  
25 to line up with the State under the current regulations,  
26 which would be to allow the sale of handicrafts from the  
27 fur of black bears, and that's the staff recommendation.  
28 And that's all, Mr. Chair.

29

30                   CHAIRMAN LOHSE: Does anybody have any  
31 questions for Donna? Bob.

32

33                   MR. CHURCHILL: Yeah, through the Chair.  
34 Question: In reading the booklet and some input from --  
35 particularly one from, I think, Joe Matty -- he indicated  
36 that the sale price for both gall bladders and bear parts  
37 -- that prices have dropped dramatically over the last  
38 couple of years. Do you have any information on that one  
39 way or another?

40

41                   MS. DEWHURST: With the gall bladders,  
42 there was an influx in the market of cow gall bladders  
43 that flooded the market, and suddenly gall bladders  
44 became much more common. But then, when the Fish and  
45 Wildlife forensic lab looked at some of these gall  
46 bladders, they quickly realized they weren't bear. And I  
47 guess once they're dried and a little shriveled form it's  
48 hard to tell what the gall bladder came from. But, it  
49 did saturate the market with gall bladders and lowered  
50 the price. But, in reality, people, I guess, have to

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1 watch what they buy because they weren't getting the real  
2 entity. Now, I have no idea if the aphrodisiac value of  
3 a cow gall bladder is equivalent to a bear, but that's  
4 what happened.

5  
6 MR. CHURCHILL: Can I follow up, please?  
7 I guess I wasn't quit so interested in the gall bladder  
8 aspect, and I agree with you. I probably couldn't tell  
9 one dried gall bladder from another. But, no, I was  
10 talking specifically about bear parts and I've looked at  
11 some catalogues myself from where it's legal to sell  
12 those things and the prices don't seem to be exorbitant,  
13 at least not one that probably attract a huge market for  
14 them. And I'm really more interested in the black bear  
15 issue. I tend to agree with the brown bear issue,  
16 keeping that closed.

17  
18 MS. DEWHURST: My guess on that would be  
19 two-fold. One, would be the fact that furs in general  
20 have gone way down because the interest, especially in  
21 the Lower 48. It's kind of an anti-fur market right now.  
22 So that would easily explain why the value of black bear  
23 fur or brown bear fur wouldn't be real high right now.  
24 The other aspect is in the past five to 10 years we've  
25 gotten a lot of hides coming in from Russia, where's  
26 there's been a new interest over there, and they're  
27 coming across. So, I think, between the two -- but I  
28 suspect the biggest thing is just the drop in the fur  
29 market in general.

30  
31 Generally, furs aren't the concern. The  
32 concern seems to be more claws and gall bladders, and  
33 that's what my personal has been. Working on the Alaska  
34 peninsula, we worked a number of cases where bears were  
35 found and the only thing removed were the claws and the  
36 gall bladders. They didn't mess with the hides. So,  
37 obviously, there wasn't a big black market for the hides.  
38 That wasn't the main issue.

39  
40 MR. CHURCHILL: One more follow-up. When  
41 were those cases that you were referring that you were  
42 investigating?

43  
44 MS. DEWHURST: Well, they're ongoing even  
45 recently, but the ones that I personally was involved in  
46 was four to five years ago. But, I know just for a fact  
47 keeping up with them that they're still ongoing.

48  
49 MR. CHURCHILL: Thank you very much.

50

00016

1                   CHAIRMAN LOHSE: Any other questions for  
2 Donna? I have a couple. Donna, could you explain for  
3 the purposes of everybody present the difference between  
4 methods and means of taking of a furbearer versus methods  
5 and means of taking of a game animal?

6  
7                   MS. DEWHURST: Well, the main thing is  
8 the trapping aspect, and that's what I mentioned earlier  
9 -- that the primary difference would be as a furbearer  
10 you could use leghold traps, which is.....

11  
12                  CHAIRMAN LOHSE: Or snares?

13  
14                  MS. DEWHURST: Yeah, or snares. And the  
15 snares isn't as controversial as the leghold traps. A  
16 few years ago that was a big issue on those. You use  
17 those -- I don't know the number but it's those really  
18 large leghold traps for a brown bear and it was a public  
19 safety issue that kind of raised public uproar, in that  
20 people didn't think these were good to be around, and  
21 that if a child or somebody else stepped in one --  
22 because of the large size of those leghold traps --  
23 somebody could get hurt. So, they basically were phased  
24 out and made illegal over a number of years, and this  
25 would, then, legalize use of those large leghold traps  
26 again.

27  
28                  CHAIRMAN LOHSE: I kind of disagree with  
29 that, Donna, because I think we have a -- correct me if  
30 I'm wrong, but I think we have in the regulations a size  
31 limit. There's a jaw spread limit currently on leghold  
32 traps, if I remember. I'm not exactly sure, but I don't  
33 think you can have one over 10 inches or something like  
34 that right now. And, so, the fact that you would  
35 legalize the trapping of them wouldn't necessarily  
36 increase the size of the trap that you can use.  
37 Currently, some of the wolf traps that are used would  
38 catch black bears with no problem, and they're currently  
39 legal anyhow. And the snaring hasn't been addressed, but  
40 the snaring would actually be probably a more common way  
41 to catch bears than would leghold traps. Game animals  
42 are not allowed to be taken by those methods and means  
43 under current law. Am I correct.

44  
45                  MS. DEWHURST: That's correct, and I'll  
46 defer. Bill Knauer is in the audience, and he's more  
47 familiar with the ins and outs. I don't think we have  
48 the size limits on the Federal regs. I think that's on  
49 the State regulations. Bill's back there someplace.  
50



00017

1 MR. KNAUER: Good morning, Mr. Chairman.  
2 Bill Knauer here. In looking over the regulations, I  
3 find that the only size limit relates to the taking of  
4 otter during any closed mink or marten season. There  
5 does not appear to be any size limit in the Federal  
6 regulations on trap size that I can find.

7  
8 MS. DEWHURST: It's nine inches.

9  
10 MR. KNAUER: Well, somebody pointed to a  
11 different -- a steel trap, there is one that prevents a  
12 steel trap with a jaw spread over nine inches or a  
13 Conibear over 11 inches.

14  
15 CHAIRMAN LOHSE: So, currently, the  
16 regulation for trap size is already on the book. A nine  
17 inch is basically a four and a half.

18  
19 MS. DEWHURST: Uh-huh. (Affirmative)

20  
21 MR. KNAUER: Uh-huh. (Affirmative)

22  
23 CHAIRMAN LOHSE: So, legalizing the  
24 taking of bears as furbearers would not necessarily  
25 rescind the law on trap size. The trap size law would  
26 still be there. A couple of other question. Brown and  
27 grizzly bears come under CITA, don't they, the  
28 international trade?

29  
30 MS. DEWHURST: I am not positive on that.  
31 I know that brown bears are protected in several states  
32 in the Lower 48 still, and I think they're threatened  
33 status.

34  
35 CHAIRMAN LOHSE: Yeah.

36  
37 MS. DEWHURST: But, I'm not sure. I  
38 believe you're right, but I can't say a hundred percent.

39  
40 CHAIRMAN LOHSE: Yeah. I don't think  
41 black bears are in any place or any way. And I was under  
42 the impression that the galls were used in the oriental  
43 countries to treat all kinds of diseases more than as an  
44 aphrodisiac, that it's actually used for treatment for  
45 different kinds of fevers and sicknesses and things like  
46 that. Okay, any other questions for Donna on this one?

47  
48 MR. JOHN: Permission? I just want to  
49 hear the reason why they want black bear and brown bear  
50 to be classified as a furbearing animal.

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1 MS. DEWHURST: My understanding, the  
2 proponent's wish was to try to provide incentive to get  
3 subsistence users to take more bears, primarily in his  
4 area, but he was also interested statewide because of the  
5 concern in the interior that predator numbers have  
6 increased and their impacts on caribou and moose.

7  
8 MR. JOHN: Mr. Chairman. Is that  
9 probably the only reason?

10  
11 MS. DEWHURST: That's my understanding.  
12 We haven't been able -- that was part, I think, why  
13 Eastern Interior deferred was because they wanted more  
14 clarification from the proponent. But, as I mentioned,  
15 with his National Guard duty he isn't available. I think  
16 he's even out of the country, so they couldn't get  
17 further clarification on some of the questions.

18  
19 MR. JOHN: Thank you.

20  
21 CHAIRMAN LOHSE: Now, Donna, in his  
22 justification for it he talks about benefits. It kind of  
23 looked to me like what he was indicating is that there  
24 would be a chance for financial benefits for subsistence  
25 users. Whether the underlying purpose was to increase  
26 the take, one of the things that's come up in a lot of  
27 our meetings has been the fact that we have a very low  
28 calf survival for moose and caribou and the bears have  
29 been indicated as a -- well, actually, even a higher take  
30 of the calves than the wolves have been. I know some of  
31 the studies that have been done up in Unit 11 the  
32 majority of the calves that have been taken have been  
33 taken actually by black bear versus wolves. So, that  
34 could be part of his reasoning, but the reasoning that he  
35 stated in there was financial benefit. Ida.

36  
37 MS. HILDEBRAND: Thank you, Mr. Chairman.  
38 Ida Hildebrand, BIA Staff Committee member. For your  
39 information, on page two of this proposal, under  
40 reasonings, he states that to allow subsistence users to  
41 use bear hides and other parts, and I believe in the text  
42 itself it states to totally utilize the animal and have  
43 some gain from the sale, although it would be minimal.

44  
45 CHAIRMAN LOHSE: Yeah. Yeah, I think  
46 that's something that we'd have to remember is that it's  
47 not how large a gain. It's the fact that there is a gain  
48 involved is what he's proposing. As we read in the staff  
49 analysis and everything, there's not a big market at this  
50 point in time for black bear hides. There's always been

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1 a black market for grizzly bear hides, and there has been  
2 -- I think not only in the area that you talked about but  
3 in other areas of the state there definitely has been  
4 illegal poaching of black bears just for the parts that  
5 are commercially sellable. At the same time, there are a  
6 lot of other parts that aren't used because the  
7 individual that takes the bear for meat or something has  
8 no need for -- it currently costs so much to have a hide  
9 tanned that it's easier to throw the hide away, if you  
10 took the bear for meat, than it is to send the hide in  
11 and have it tanned and that's what happens in a lot of  
12 cases.

13

14 Any other discussion? I don't think we  
15 have any public testimony on this one right here. Is  
16 there anybody from the public that would like to testify?  
17 Mark, can you fill out a blue slip and.....

18

19 MR. KING: Sure.

20

21 CHAIRMAN LOHSE: .....and give it to Ann?

22

23 MR. KING: Do you want me to do it now?

24

25 CHAIRMAN LOHSE: No. Just do your  
26 testimony, and then give her a blue slip when you're  
27 done.

28

29 MR. KING: Under the State regulations,  
30 most of the brown bear harvest is for sport hunting and  
31 most of the people that are hunting these bears are for  
32 trophies and they take them to a taxidermist and if they  
33 don't pick the animal up then the taxidermist has the  
34 authority to sell that trophy. That's one way that  
35 they're being sold. The other way is if a bear is killed  
36 in defense of life or property, under the State  
37 regulation that bear has to be turned in to the State and  
38 then they will auction that off.

39

40 I think that if a bear is, you know,  
41 found dead, then I think that a person should be allowed  
42 to salvage parts off that bear -- you know, the claws,  
43 the meat, the hide -- if the hide isn't slipping -- or  
44 whatever, you know. The way that the State has regulated  
45 this taking the bears has just been for sport and trophy  
46 hunting. And so, you get people that are harvesting  
47 bears for food and want to utilize the hide and the claws  
48 and the skull and all the parts of the animal for their  
49 own use, then they should have the right to be able to  
50 sell those parts, I think. And I don't think you're

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1 going to see a big increase in take, necessarily, but  
2 you're going to see better use of the animal. You know,  
3 a sport hunter will shoot a big brown bear and take the  
4 hide off of it and have a trophy mounted out of it and  
5 then leave all the meat, the bones -- they'd take the  
6 skull.

7  
8 And I think of this as, you know, you can  
9 look at this like marine mammal parts, you know, that you  
10 find washed up on the beach. You know, there's a way, I  
11 think, that you can salvage whalebone, and I know there's  
12 people salvaging walrus tusks and things and stuff like  
13 that and using them for art projects, or whatever. So, I  
14 think that, you know, it should be legal myself to use  
15 these parts and just be more responsible for the use of  
16 the whole animal.

17  
18 Sally Coatenberg (ph) made me a pair of  
19 brown bear mittens before, you know. But, it would be  
20 illegal for me to sell those mittens. I've made brown  
21 bear claw necklaces, you know, and under the regulations  
22 now it's illegal to sell those. And, you know, a lot of  
23 times people are finding these bears with just their feet  
24 cut off. It's a nuisance bear, and like Ralph was saying  
25 it's so expensive to get the hide tanned, you know, that  
26 people are naturally going to try and salvage, you know,  
27 whatever parts that they might want to use off of that --  
28 might be the reason why the feet are cut off the bear. I  
29 might be wrong, but I don't think there's a huge black  
30 market business going on in Alaska on bears, you know.  
31 It would be quite a waste just to shoot a bear to take a  
32 gall bladder out of it. I can't understand why somebody  
33 would do that. And during AFN, if you go to where the  
34 Alaska natives sell their crafts, you can go through  
35 there, and there's bear tooth necklaces and bear claw  
36 necklaces and stuff like that that are being sold there.

37  
38 So, I just think that there should be  
39 some sort of exemption, and I don't think that you need  
40 to necessarily have them registered as a furbearer to do  
41 it. And there would be a limit, I'm sure, of how many  
42 animals could be taken, but I'd be in support of  
43 something like this myself.

44  
45 CHAIRMAN LOHSE: Any questions for Mark?  
46 Susan.

47  
48 MS. WELLS: Well, I don't know if it's  
49 for Mark. The regulations read that it's currently  
50 possible or allowable to create handcrafts from skins or

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1 claws, correct, if the bear has been hunted as a food  
2 source or even as a sport as long as it's a handcraft?

3

4 MS. DEWHURST: Under current State  
5 regulations, handicrafts are allowed to be made and sold  
6 from the fur of black bears only. So, it's only a fur  
7 thing. So claws wouldn't be included. It would just be  
8 fur. And that's under the current State regulation. We  
9 don't have any provisions currently under Federal  
10 regulation for handicrafts or any other aspects of sales.

11

12 CHAIRMAN LOHSE: Any questions for Mark?

13 Bob.

14

15 MR. CHURCHILL: Yeah, Mark, and through  
16 the Chair. You made some references I found interesting,  
17 too. In my limited travels in the interior, particularly  
18 including Venetie, Arctic Village and Fort Yukon, my  
19 impression is that the wolverine is held in quite high  
20 esteem in the scale of the spirit value, and I see the  
21 ruffs and other trade items. I'm saying that my  
22 experience has been the same as yours. Also,  
23 particularly black bears, there's some beautiful  
24 handicrafts that have been given as gifts with no  
25 disrespect intended to the animal or its spirit. And I  
26 guess, again, my limited experience has more to do with  
27 what you take out of the field, and that's pretty  
28 commonly burying the head or placing the head facing  
29 east. So, I guess what I'm struggling with in a long way  
30 around is I certainly don't see anything inconsistent  
31 with using the claws or skull or other parts where you  
32 have subsistence users that have that as a resource and  
33 to turn that into cash for other goods to support their  
34 lifestyle. Do you see any inconsistencies with that?

35

36 MR. KING: Not at all. I don't see any.  
37 You know, I just don't like to see things wasted myself,  
38 and if there's an opportunity to -- you know, if somebody  
39 shoots a bear if it's a nuisance bear or it's causing a  
40 problem or something -- I don't know, I shot one in  
41 defense of life or property one time and I had to turn it  
42 in to the Fish and Game fellow that made a report on it  
43 and everything. And I said, well, can't you make some  
44 exemption? I'd like to have the hide and, you know,  
45 whatever else. Oh, no, no, no. They wouldn't even tell  
46 me where they were going to auction it off. So, I wasn't  
47 too happy about that.

48

49 CHAIRMAN LOHSE: Any other questions for

50 Mark?

00022

1                   MR. ELVSAAS: Mr. Chair, was that a brown  
2 bear or a black bear?

3  
4                   MR. KING: Brown bear.

5  
6                   MR. ELVSAAS: Oh, okay.

7  
8                   CHAIRMAN LOHSE: Thank you, Mark. I have  
9 a few questions that, from Mark's discussion, came up in  
10 my mind. First of all, if brown bear or black -- or if  
11 individually or both -- were classified as furbearer,  
12 would that automatically allow trapping, or can  
13 individual restrictions be made on the take of the animal  
14 and still classify them as furbearer? My understanding  
15 would be that individual restrictions could be made for  
16 that animal. Now, I do know that occasionally at this  
17 point in time a black bear or a brown bear will get  
18 caught in somebody's trap and under current law those are  
19 usually a wasted bear or a bear that gets turned in to  
20 Fish and Game one way or the other. But, I'm under the  
21 impression that we -- not we, meaning us as a Council,  
22 individually, but as a lawmaking body -- could put  
23 restrictions on the method and means of take of  
24 something. Just because it's classed as a furbearer does  
25 not automatically allow bear traps or even automatically  
26 allow snaring of bears.

27  
28                   In answer to Mark's comments on salvaging  
29 bears, I think that salvaging bears comes under the same  
30 classification as salvaging roadkills. You aren't  
31 allowed just because you see a roadkill to stop and take  
32 something off the roadkill. Technically speaking, a  
33 roadkill is the property of the State unless they give it  
34 to you or tell you to go salvage it.

35  
36                   We had a bear drown in the lake last year  
37 -- right across thin ice and fall -- drowned in the lake,  
38 right in the middle of our trapping grounds. The wolves  
39 came and were eating the bear out of the ice. The ice  
40 was gradually closing over the top of the bear. I  
41 requested permission to take the bear out of the ice and  
42 move him someplace else so the wolves could get at him  
43 better. I was told I couldn't touch the bear. I didn't  
44 kill the bear. I didn't take the bear. I couldn't touch  
45 the bear. I could set traps around him, where he was,  
46 but I was not to take any parts off the bear. I was not  
47 to move the bear. Basically, the bear sunk into the  
48 bottom of the lake when Spring came and the ice thawed.  
49 That's because that's an animal that you haven't taken.  
50 And, like I said, I think that comes under the same

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1 classification as if it was a roadkill. So, you don't  
2 really have a chance to take it.

3

4 I have a question, though. I was under  
5 the impression that once a bear hide was mounted or  
6 turned into a rug or a deer was mounted and you had a  
7 mount on your wall in your home that that became personal  
8 property and, at that point in time, once it was a  
9 finished product it was no longer a raw animal product  
10 and that you could sell that personal property. You see  
11 them in estate sales. You see people that go around and  
12 buy them up from people. They buy up mounts, take the  
13 horns off to make lamps and chandeliers and stuff like  
14 that. And somebody should correct me if I'm wrong, but  
15 if a person goes through all the effort to take that bear  
16 and turn it into a piece of furniture and puts it into  
17 their house and has it in their house as personal  
18 property are they then allowed to sell that as a piece of  
19 personal property just like it was a couch or a chair or  
20 a painting on the wall?

21

22 MS. DEWHURST: I may be corrected, but  
23 it's my understanding no. We've been involved in some  
24 cases where people have gotten full bear mounts where  
25 they're actually taxidermied in position and tried to  
26 sell them, and we were told they couldn't -- and same  
27 with the hides. Of course, things do happen and aren't  
28 caught, but it's my understanding, though, it doesn't  
29 change.

30

31 CHAIRMAN LOHSE: Susan.

32

33 MS. WELLS: Mr. Chair, my understanding  
34 is correct the State presently has auctions for bear  
35 hides whether they're brown or black?

36

37 MS. DEWHURST: Yeah. Those are those DOP  
38 hides.....

39

40 MS. WELLS: And so.....

41

42 MS. DEWHURST: .....that are recovered.

43

44 MS. WELLS: .....are those hides -- if I  
45 was to purchase one at your auction, I could then go and  
46 sell it?

47

48 MS. DEWHURST: No. The State's the one  
49 that does the auction, and you could purchase the hide at  
50 the ADF&G auction, but you could not then sell it again.

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1 You could use it for your own personal use or you could  
2 give it to somebody but you couldn't sell it.

3

4 MS. WELLS: Could I make it into  
5 handicrafts and then sell it?

6

7 MS. DEWHURST: If it was black bear  
8 handicrafts.....

9

10 MS. WELLS: Okay.

11

12 MS. DEWHURST: .....yes, you could, under  
13 State law. Not under Federal law.

14

15 MS. WELLS: Thank you.

16

17 CHAIRMAN LOHSE: Any other discussion or  
18 comments? Well, I'll throw in one or two more personal  
19 opinion comments, and then we'll go on to try to come to  
20 some kind of conclusion on this. I guess I have to go  
21 along with Mark on one thing and that's the fact that I  
22 hate to see something wasted that doesn't have to be  
23 wasted and that's totally against the subsistence  
24 tradition that are practiced by the Alaska natives or by  
25 anybody else that does it. You don't purposefully waste  
26 something. And I know in the interior -- or down in the  
27 Cordova area, particularly -- we have people that do take  
28 black bears for meat. And, at the current prices, to  
29 have a black bear hide tanned -- like, where we live, we  
30 have a limit of three black bears. We could take three  
31 black bears for meat a year. Most people that I know up  
32 there don't, but if they did most people I know couldn't  
33 afford to have three black bear hides tanned just to  
34 throw them around the house and do nothing with them.  
35 And so, consequently, the meat is taken and the hides  
36 thrown away. Now, we see that the hide is worth maybe 60  
37 bucks on an auction, on the average. Sixty dollars isn't  
38 much, but \$60 is better than throwing something away.  
39 And \$60 would mean that somebody would probably bring it  
40 out of the woods and salt it and sell it, rather than  
41 send it in and have it tanned.

42

43 Out on the peninsula where I taught  
44 school, people ate brown bear, and none of them had a  
45 brown bear hide in their house. None of them thought it  
46 was worthwhile to send a brown bear in to get it tanned  
47 to make a rug to hang on the wall like a trophy hunter  
48 would, but they still took brown bear for meat. Like I  
49 said, the thought of just throwing something away -- at  
50 the same time, you don't want to make a market and you



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1 don't want to increase illegal take. But, the take can  
2 still be regulated. We have short limits on some of our  
3 furbearers. Limits can be placed on how many can be  
4 taken, just like we currently have right now. We're not  
5 restricted to, if we make it legal, it automatically  
6 becomes open and everybody can go out and set all the  
7 bear traps that they want or all the snares that they  
8 want. But, we could have it so that you could, under  
9 current law, salvage and sell bears taken in subsistence  
10 activities. And, with that in mind, I'm going to shut up  
11 and let the rest of the Council decide what they would  
12 like to do on this issue.

13

14 MR. ELVSAAS: Is it time for Council  
15 deliberations now?

16

17 CHAIRMAN LOHSE: We're on Council  
18 deliberations right now.

19

20 MR. ELVSAAS: Okay. Mr. Chairman,  
21 looking at the issue, you know the proposal is for brown  
22 bear and black bear. I think we would be wiser, at this  
23 point, to split the difference between brown bear and  
24 black bear because my feeling is that the black bear --  
25 there's an abundance of them in our area and both in the  
26 area around Seldovia and the Kachemak country as well as  
27 on the west side of Cook Inlet. We had to do in four  
28 bear last year. We salvaged the meat. Fortunately, I  
29 had enough people that wanted the meat, and we salvaged  
30 three of the hides. And I had called about the hides,  
31 and I was told to bring the hides in, get them tagged  
32 and, also, the skulls, so they could measure the skulls  
33 for Fish and Game purposes, which was fine. We saved  
34 three hides and let one go. We were busy fishing at the  
35 time and didn't have much time to fool with it. We saved  
36 the meat. Fish and Game informed me that they wanted 40  
37 percent of the meat of each bear salvaged, and I said,  
38 well, we thought we'd like to save all of the meat. And  
39 they said, well, they meant at least 40 percent. So, I  
40 think that's realistic. That means the hindquarters will  
41 be salvaged at the very least.

42

43 In looking at the problem of the  
44 abundance of bears now in the State killing off the moose  
45 calves I would really like to see some method to take  
46 more of these bears. I agree with Ralph. It's not  
47 realistic to bring these hides in and have them tanned.  
48 You can't afford it. I was fortunate that some of the  
49 people I know wanted the hides. I gave them the hides,  
50 and they were utilized. In turn, if you have a situation

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1 where you kill a bear and you don't want the hide, you  
2 should be able to save the claws, at least. And some  
3 people like the skulls and so forth, even if it's a head  
4 mount or just the skull itself after you boil the meat  
5 off of it. So, I think that in regards to the black  
6 bears it sounds realistic.

7

8 But, looking at the brown bears, I'm not  
9 sure that this idea applies, at least at this time.  
10 Maybe we should do this in two steps, if we do it for  
11 both, but I would prefer that we allow the taking of the  
12 black bears for subsistence purposes. I don't know if we  
13 want to call them furbearers. I don't view a bear as a  
14 furbearing animal. But, on the other hand, if that's the  
15 method to utilize the bear hides, the claws, the teeth,  
16 whatever, maybe that is a way to go. But I would prefer  
17 that we look at this as brown bears and black bears, not  
18 just bears, period.

19

20 So, with that, I'd like to hear some  
21 other thoughts on this. Also, one other thing is I  
22 understand in talking with the State people -- Fish and  
23 Game in Homer -- you can take as many black bears as you  
24 want. There's no limit in our area. But, you know, to  
25 get more than three or four they've got to be coming  
26 around your place. You're not going to go miles out in  
27 the back country and drag in four bears. With that, I'll  
28 rest for now.

29

30 CHAIRMAN LOHSE: Yeah, Fred, your  
31 question was correct, if we were to the point with  
32 discussion of this. As usual, I jumped the gun. So you  
33 and I did some discussion, but we were ahead of time. We  
34 are supposed to, at this point in time.....

35

36 MR. ELVSAAS: Well, that's what I  
37 thought.

38

39 CHAIRMAN LOHSE: .....go through the  
40 whole procedure, which I have a tendency to forget. So,  
41 with this, we're going to go to Alaska Department of Fish  
42 and Game comments. A lot of the questions and issues  
43 that have been brought up will probably be addressed by  
44 the Alaska Department of Fish and Game, and some of the  
45 questions that I asked Donna I should have asked them.

46

47 MR. HAYNES: Thank you, Mr. Chairman. My  
48 name is Terry Haynes. I'm with the Alaska Department of  
49 Fish and Game. Our comments on this proposal you'll find  
50 on page 19 of your notebooks. And in some cases on these

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1 proposals, our comments may have changed based on the  
2 staff analysis. So, the comments you see in this book  
3 were based on looking at the original proposals. In this  
4 particular case, we continue to oppose this proposal for  
5 the reasons we give in our comments, as well as those  
6 that Donna read as justification based on the Federal  
7 staff review. You know, we support the use of black bear  
8 hides for handicrafts just to be consistent with the  
9 State regulations, but there are potential problems in  
10 expanding the harvest and use of bear parts in some areas  
11 of the State.

12

13                   We note that March 2000 the Board of Game  
14 was looking at an issue concerning the use of brown bear  
15 parts in handicrafts and so it established a committee to  
16 talk about the issue and that committee concluded that at  
17 this time it was not a good thing to expand the use of  
18 brown bear parts. I did want to comment on the statement  
19 that Mr. Elvsaas made. There's not an unlimited harvest  
20 allowed of black bears in any part of the State. There  
21 are seasons and bag limits, even though the bag limits  
22 are pretty liberal. But, I'm not aware of any part of  
23 the State where the State allows an unlimited bag limit  
24 on black bears. So, unless there's something I'm not  
25 aware of, I believe that was an incorrect statement. And  
26 I can try to answer questions that you might have. I may  
27 not be the best person to do so, but.....

28

29                   CHAIRMAN LOHSE: Any questions for Terry?

30

31                   MR. JOHN: Mr. Chair, I have a question.  
32 I don't know much about the selling of bear parts and  
33 everything. Does the State law forbid selling bear parts  
34 across the State, like the claws and the teeth and the  
35 stuff like that, and do you know if you could take it  
36 down to the Lower 48 and sell it?

37

38                   MR. HAYNES: I believe that would be  
39 illegal.

40

41                   MR. JOHN: Okay. That's what I want to  
42 know. And what about selling it to another person in the  
43 State of Alaska? That would be illegal, too?

44

45                   MR. HAYNES: I believe that would also be  
46 illegal.

47

48                   MR. CHURCHILL: Yeah, through the Chair.  
49 Terry, that committee with the Board of Game, that was  
50 limited to brown bears, was it not? It didn't address

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1 black bears?

2

3 MR. HAYNES: Mr. Chairman, they were  
4 talking specifically about the use of brown bear parts.

5

6 MR. CHURCHILL: And, as a follow up, it's  
7 not illegal for sale -- let me put it in the positive.  
8 It currently reads with black bear the only legal  
9 handicrafts are fur alone, no other part of the bear on a  
10 black bear. Is that correct, Terry?

11

12 MR. HAYNES: That's correct.

13

14 MR. CHURCHILL: And I guess with black  
15 bear, what's your opinion and what might it be based on  
16 regards any increase in take of black bear, if we were to  
17 liberalize the use -- in other words, allow folks to use  
18 the whole hide and skull and teeth and claws as they saw  
19 fit?

20

21 CHAIRMAN LOHSE: Terry.

22

23 MR. HAYNES: Mr. Chairman, that's hard to  
24 say, with the bag limit already being pretty liberal.  
25 Whether harvest levels would change if there were other  
26 uses allowed, it's hard to say. Bears just aren't as  
27 attractive an animal for hunters as they once were; and,  
28 in some cases, there may be an increase if there were  
29 other uses allowed. In other parts of the State, there  
30 might not be any change noted at all.

31

32 MR. CHURCHILL: So, if I'm understanding  
33 you correctly, that even with the liberal bag limits on  
34 black bear we're not even coming close to harvesting  
35 within the limits that exist?

36

37 MR. HAYNES: I'd say that as a general  
38 statement, yes.

39

40 MR. CHURCHILL: Thank you.

41

42 CHAIRMAN LOHSE: Thank you. Susan.

43

44 MS. WELLS: I'm curious here and, for  
45 either of you, in reading your reports there's a pretty  
46 interesting history on the cultural harvest by Alaska  
47 native cultures, and in the ADF&G comments you also make  
48 note of the Alaska native traditions surrounding the care  
49 and treatment -- handling. Was this information gotten  
50 from books, or did you actually consult with the tribes

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1 in present day? Were they consulted since this proposal  
2 was brought forth?

3

4 MS. DEWHURST: That information came from  
5 a report that was written -- well, it was before I got to  
6 OSM, so it must have been '94, '95 -- from my  
7 predecessor, Steve Kovach. He did an extensive research  
8 in it and it was present day information and I know for a  
9 fact present day because I've heard it from the Councils  
10 -- specifically, Seward Peninsula recently -- that it's  
11 still very strong in certain parts of the State. The  
12 very much revere bears and have a great deal of respect  
13 for them and have very strong traditions as to how they  
14 should be treated and it's primarily a respect thing.  
15 And, as mentioned, the heads often have to be left in the  
16 field and faced a certain direction.....

17

18 MS. WELLS: Uh-huh. (Affirmative)

19

20 MS. DEWHURST: .....and things along  
21 those lines. I had it to the point where I was talking  
22 to some folks out west where they were uncomfortable even  
23 discussing this proposal, because they felt it went  
24 against their culture. They didn't even feel comfortable  
25 discussing it, because they felt out of respect to bears  
26 it's just not done.

27

28 MR. HAYNES: Mr. Chairman, the Division  
29 of Subsistence and the Department of Fish and Game has  
30 done a number of field studies around the state, too.  
31 So, we have firsthand documentation of how people use  
32 bears and the cultural traditions that surround brown  
33 bears, and in some areas of the State brown bears are  
34 highly regarded. They have special status in the  
35 community. And even in some of the State's brown bear  
36 regulations have been changed in the past number of years  
37 to accommodate some of these cultural traditions. The  
38 State established brown bear management areas in some  
39 parts of the State to better accommodate locate hunting  
40 practices and local treatment of brown bears. So, in  
41 this proposal, some of the uses that would be allowed of  
42 brown bears are viewed as being disrespectful of brown  
43 bears by some Alaska native cultures.

44

45 CHAIRMAN LOHSE: Susan.

46

47 MS. WELLS: I guess I want to narrow it  
48 down. Was this particular proposal, WPO2-01, taken to  
49 the tribes of the areas and asked for comment on?

50

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1 MS. DEWHURST: All of the proposals  
2 broadly get distributed, and there's a large comment  
3 period so that -- and we have gotten input. Not on this  
4 specific one, but it also gets exposure when it goes to  
5 the Councils. Ann has the comments; but, yes, it's  
6 gotten broad release. I can't guarantee you it's gone to  
7 every single tribal council, but it's gotten broad  
8 release to the public.

9  
10 MS. WELLS: In thinking about the  
11 ramifications of this, from my own cultural background  
12 waste of any resource is a no-no. Whether an animal or a  
13 resource is revered, part of the reverence is making sure  
14 that it isn't wasted and it's all used. And whether it  
15 be a one-step or a two-step process in considering the  
16 use of brown bear as opposed black or both and when, a  
17 hide, a fingernail, an eyelash of any animal or any of  
18 our resources should never be wasted. And, as a hunter  
19 or a gatherer, going out and doing the labor of the hunt,  
20 I really feel that it should be their right and  
21 responsibility to care for all of the parts of the  
22 animal. And, in some cases, having the opportunity to  
23 offset some of the costs of that care is appropriate.

24  
25 CHAIRMAN LOHSE: Thank you. Any other  
26 questions for Terry? Bob.

27  
28 MR. CHURCHILL: I have one question,  
29 Terry. I know that the sale of bear parts is currently  
30 illegal, but is the exchange -- we'd call it customary  
31 trade and barter -- is the exchange of bear parts between  
32 subsistence users for other subsistence resources also  
33 illegal?

34  
35 MR. HAYNES: I believe they can be  
36 bartered where money is not involved. I guess the  
37 question whether that would be allowed under customary  
38 trade I'm not sure about that. But, certainly, I think  
39 that probably is a practice that currently exists, that  
40 bear parts are exchanged for non-cash.

41  
42 CHAIRMAN LOHSE: Mr. Churchill.

43  
44 MR. CHURCHILL: Through the Chair.  
45 Terry, in your research did you find that the beliefs and  
46 ways of showing respect to different animals --  
47 particularly, bears, wolverine and wolves -- varied  
48 significantly between different groups, either within,  
49 like, the Athabaskan community or Yup'ik or Inupiat.

50

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1 MR. HAYNES: Yes. There are significant  
2 differences both with in the Athabaskan community and  
3 between other Alaska native groups.

4  
5 MR. CHURCHILL: Thank you.

6  
7 CHAIRMAN LOHSE: Any other questions for  
8 Terry? Thank you, Terry. Are there any other agency  
9 comments -- Park Service, Fish and Wildlife Service?  
10 Anybody other agency have anything they'd like -- BIA? I  
11 don't see any. Fish and Game advisory committees. Do we  
12 have any comments from any Fish and Game advisory  
13 committees at this point in time? Hearing none, let's go  
14 on to a summary of written public comments.

15  
16 MS. WILKINSON: Thank you, Mr. Chairman.  
17 We had four comments on this proposal. Mr. Glen  
18 Alsworth, Sr., of Port Alsworth stated that he supports  
19 this proposal. He believes that any time a subsistence  
20 user can derive more benefit from a legally taken  
21 subsistence resource, the better.

22  
23 The Department of Public Safety is  
24 opposed to Proposal Number 1. The Director, Colonel Joel  
25 L. Hard, wrote we believe that allowing the sale of bear  
26 parts will increase illegal take and waste of bears, will  
27 exacerbate the black market issues, will go against a  
28 North American trend that is more restrictive concerning  
29 sale, and is not consistent with customary and  
30 traditional practices.

31  
32 The Wrangell-St. Elias Subsistence  
33 Resource Commission opposes the proposal based on legal,  
34 cultural and biological concerns. The Denali Subsistence  
35 Resource Commission is unanimously opposed to Proposal 1.  
36 The commission approves the staff analysis' preliminary  
37 conclusion for the reasons stated in the analysis  
38 justification. And that is all, sir.

39  
40 CHAIRMAN LOHSE: At this point in time, I  
41 have no blue slips in for public comment on this  
42 proposal. Do we have anybody in the public that would  
43 like comment on this proposal?

44  
45 MR. MIKE: Thank you, Mr. Chair. My name  
46 is Donald Mike. I'm the Eastern Interior Regional  
47 Advisory Council's coordinator. The Eastern Interior  
48 recently met in Circle Hot Springs on February 25th and  
49 27th on the statewide Wildlife Proposal 02-01, which is  
50 the one that the Council at the Eastern Interior

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1 submitted. The Council deferred Proposal 02-01 until the  
2 proponent can be present to be involved. The Council  
3 would like the Board to defer this proposal until the  
4 proponent can be involved, given the effort the proponent  
5 has put forward and his current circumstances, although  
6 the Council will now support the language to allow the  
7 sale of handicraft making black bear fur, which would  
8 align with the State as recommended by staff in their  
9 conclusions. The Council also would support the  
10 definition of furbearer in this analysis. Thank you, Mr.  
11 Chair.

12

13 CHAIRMAN LOHSE: Could you give us that  
14 last sentence?

15

16 MR. MIKE: The last sentence reads the  
17 Council also supports the definition of furbearer in the  
18 staff analysis.

19

20 CHAIRMAN LOHSE: Okay. Mr. Churchill.

21

22 MR. CHURCHILL: Yeah, through the Chair.  
23 Thank you for coming, but whether you can speak on behalf  
24 of your organization -- did your discussions see a  
25 difference between black bear and brown bear in terms of  
26 harvesting and the resale of particular items like skull  
27 or claws? Did you discuss that in your group?

28

29 MR. MIKE: Not particularly, but we had  
30 the representative from the Tanana Chiefs Conference that  
31 represented the voters within the Doyon Region, and they  
32 oppose any forms of sale of bear parts in general.

33

34 MR. CHURCHILL: Just as clarification,  
35 either black bear or brown bear?

36

37 MR. MIKE: Correct.

38

39 MR. CHURCHILL: Thank you.

40

41 CHAIRMAN LOHSE: Any other questions?

42 Ida.

43

44 MS. HILDEBRAND: Thank you, Mr. Chairman.  
45 Ida Hildebrand, BIA Staff Committee -- the BIA. In  
46 response to Mr. Churchill's question, although it was not  
47 discussed at this particular Regional Council meeting, in  
48 the past the Eastern Interior Regional Council has  
49 requested the use of brown bear to be given special  
50 consideration for ceremonial purposes and the use of



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1 their parts in ceremonial purpose and the significance of  
2 that, and they did distinguish black bear in that manner  
3 -- I mean, excuse me, brown bear in that manner.

4

5 CHAIRMAN LOHSE: Thank you. Susan. Ida.

6

7 MS. WELLS: And does the State allow or  
8 provide for those ceremonial purposes in those requests?

9

10 MS. HILDEBRAND: I can't answer for the  
11 State, but the Federal program does allow for ceremonial  
12 take, yes.

13

14 MS. WELLS: Can you answer that? Does  
15 the State provide a mechanism for ceremonial?

16

17 MR. HAYNES: I guess I'm not clear what  
18 you're asking.

19

20 MS. WELLS: Ms. Hildebrand was saying  
21 that there are cases where the natives would use parts of  
22 bears for ceremonial purposes, and I'm understanding that  
23 the Federal government allows for that. Does the State?

24

25 MR. HAYNES: As long as a sale isn't  
26 involved, you can use brown bear parts, you know, if you  
27 legally harvest a brown bear. If you want to use those  
28 for personal uses or for ceremonial purposes I don't  
29 think there's anything in State law that prohibits that  
30 from happening.

31

32 MS. WELLS: Thank you.

33

34 CHAIRMAN LOHSE: Susan, is the question  
35 you're asking is, like, with moose there is a procedure  
36 in place to take moose out of season for ceremonial  
37 purposes. Is the question that you're asking is there a  
38 procedure in place to take a bear out of season for  
39 ceremonial purposes?

40

41 MS. WELLS: Yes. That makes it clearer,  
42 I think, for me.

43

44 CHAIRMAN LOHSE: Terry.

45

46 MR. HAYNES: The State has a ceremonial  
47 harvest regulation, Mr. Chairman, that allows the harvest  
48 of big game animals. I'd have to double-check to see if  
49 it specifically includes brown bears, but typically the  
50 animals taken under the State ceremonial harvest

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1 regulation are moose and sometimes caribou. I don't know  
2 if there have been any instances where people have taken  
3 brown bear under the ceremonial harvest regulation.

4

5 MS. WELLS: Thank you. Thank you, Mr.  
6 Chair.

7

8 CHAIRMAN LOHSE: Bob.

9

10 MR. CHURCHILL: Yeah, through the Chair.  
11 Terry, you alluded earlier, I think, to the western brown  
12 bear management area. Might that not be an example of  
13 where a lot of cultural values have been meshed with  
14 State regulations to accommodate particular beliefs and  
15 values?

16

17 MR. HAYNES: Mr. Chairman, yes, that's  
18 what I had mentioned earlier, that previous brown bear  
19 hunting regulations in many parts of the State really  
20 accommodated sport hunting, trophy hunting more than the  
21 hunting practices of Alaska natives and other Alaskans.  
22 So, the Board of Game did make pretty significant changes  
23 to these regulations to better accommodate local hunting  
24 practices in many parts of the state, and it may be that  
25 those changes essentially are allowing people to take  
26 brown bears that might be needed and might be used for  
27 ceremonial purposes so that there may not be specific  
28 requests coming in to the State because of the general  
29 regulations being more respective of local hunting  
30 practices.

31

32 CHAIRMAN LOHSE: Thank you. Any other  
33 questions for Terry? With that, I would like to suggest  
34 that we take a 10-minute break before we go on into  
35 deliberations so that we can get rid of our morning  
36 coffee and maybe refill our cups.

37

38 (Off record)

39

40 (On record)

41

42 CHAIRMAN LOHSE: Okay. I'll call this  
43 Spring meeting Southcentral Regional Subsistence Counsel  
44 back in session. At this point in time, we're just  
45 entering Council deliberations on WPO2-01. I had a  
46 request over the closure for public testimony by an  
47 individual in the audience. If there's no objection from  
48 the rest of the Council, I'd like to ask him to comment  
49 right now before we start. You need to turn the blue  
50 slip into Ann

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1 MR. CARPENTER: My name is Mike  
2 Carpenter. I'm representing the State of Alaska as a  
3 private citizen. I've been listening to what's been  
4 going on with the bear parts and it seems to me like  
5 there's quite a market for these gall bladders in the  
6 Orient and we have the product, obviously. So, I see no  
7 reason why the State of Alaska shouldn't earn a few bucks  
8 from this product that we have instead of letting it go  
9 to waste in the woods. I don't have any idea how many  
10 bear are taken each year, but if these gall bladders  
11 could be turned in -- and, of course, you would give the  
12 hunters an incentive to turn it in to a central point  
13 with the State or the Federal government -- say a hundred  
14 bucks a gall bladder, or whatever -- and then turn around  
15 and, instead of having a black market with the Orient how  
16 about having a -- I guess you would call it a white  
17 market. But, it's a guaranteed bear bladders instead of  
18 them buying up some cow bladders and so forth. So, I  
19 think we should turn this into a resource. That's all I  
20 have to say.

21  
22 I would like a comment. I would like  
23 some questions from Fish and Game, though, because I'm  
24 sure they're going to dispute what I'm saying, and one of  
25 the things they're going to say is, well, we don't want  
26 to create this -- whatever. But, if we have a certified  
27 gall bladder that we're selling to the Orient at a  
28 reasonable cost, I don't think we're going to have a lot  
29 of problems. Thank you.

30  
31 CHAIRMAN LOHSE: Any questions for  
32 Michael? Hearing none, thank you, Mike. I talked to an  
33 individual over the closure that I'd like to have him  
34 share some things with us on the current situation, as he  
35 sees it, in the sale of bear parts. Marty, can you give  
36 us a little rundown of what kind of problem you see the  
37 sale of bear parts as?

38  
39 MR. MYERS: Thank you. Good morning,  
40 Council. My name is Marty Myers. I'm Assistant Special  
41 Agent in Charge for the law enforcement for the Forest  
42 Service, and I've been doing some research on some of  
43 this here in Alaska, and I've also had some experiences  
44 with dealing with the illegal take of wildlife and their  
45 parts in the Lower 48.

46  
47 The black market for bear gall bladders  
48 is fairly large and fairly lucrative, and most of the  
49 states in the United States find this to be an illegal  
50 activity, as well as the State of Alaska. The going rate

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1 for bear gall bladders in Korea -- and this is some  
2 recent information I received a couple of weeks ago -- is  
3 about \$10,000 a piece. In the Lower 48, the average  
4 value of a bear gall bladder is approximately \$40 a gram.  
5 So, it is lucrative. It's a big issue in many states.  
6 Some states do allow it. Some countries do allow it.  
7 What happens and what's prevalent right now is that there  
8 is a huge black market and I think, in listening to the  
9 last presenter, the idea of mixing this small portion, I  
10 believe, which would be taken from subsistence bears --  
11 to mix those in the black market will not decrease the  
12 black market. It won't decrease the value of it, nor  
13 will decrease the need for it. So, I think all it would  
14 do would make it harder for law enforcement, for one, to  
15 be able to pursue these black market cases in this State  
16 and other states as well in trying to determine where  
17 these bear parts are taken from.

18

19 As far as the hides go, I don't have any  
20 current information. I'm sure there's value to hides,  
21 but I don't see a market for bear hides as there is for  
22 the things that are usually made from the parts such as  
23 gall bladders and the bear paws, which are currently  
24 illegal under State law. So, in summary, with that in  
25 mind I think it's incumbent on us not to basically filter  
26 in legal goods in a black market where the black market  
27 is prevalent and it will make it difficult, I believe, in  
28 the long term for the State of Alaska and its State  
29 regulations and I think it would be difficult as well for  
30 the Federal government as well in the other regulations  
31 applied to wildlife outside of subsistence. Any  
32 questions?

33

34 CHAIRMAN LOHSE: Any questions for Marty?  
35 Fred.

36

37 MR. ELVSAAS: Yeah. In regards to what  
38 you said, it's illegal now to sell the gall bladders and  
39 if it was made legal it wouldn't be a mix as regards to  
40 Federal lands, right?

41

42 MR. MYERS: Well, what you're trying to  
43 do is, I guess, here in this sense is make it legal for  
44 subsistence user but there's still a huge non-subsistence  
45 sport market out there for bears and that market also  
46 contributes, you know, clandestinely to the black market  
47 for bear gall bladders.

48

49 MR. ELVSAAS: No. But what I'm getting  
50 at, sir, is if it was okay to sell the gall bladders

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1 under the Federal subsistence laws that would only be a  
2 problem for the State.

3

4 MR. MYERS: No, it would be a problem for  
5 the Federal government as well. The Federal government  
6 also regulates sports use in certain areas like on the  
7 game refuges, places like that in Alaska. That's outside  
8 of State regulation.

9

10 MR. ELVSAAS: Oh, I see. Okay.

11

12 CHAIRMAN LOHSE: Did he answer your  
13 question?

14

15 MR. ELVSAAS: Yeah. Thank you.

16

17 CHAIRMAN LOHSE: Susan.

18

19 MS. WELLS: In following up with what Mr.  
20 Elvsaas said, if it were to be opened up sort of like the  
21 one presenter was saying would that not make it more of a  
22 controlled market where the State and Federal governments  
23 would have more control over that resource then and take  
24 out some of the strength of the black market.

25

26 MR. MYERS: Well, you know, initially it  
27 may be controlled, but what I see is that it gets mixed  
28 in the black market. And so, you know, you may find the  
29 people selling these things to -- you know, to make more  
30 money to go outside a regulation that's in place. I  
31 guess I heard an amount like \$100 for a certified gall  
32 bladder. Well, they're worth \$10,000 in the right place,  
33 so why not make money a different way? So I guess even  
34 if you were to legalize it in this respect there's still  
35 a bigger market to sell it illegally. So I think just  
36 getting mixed up in that market overall makes it real  
37 difficult for law enforcement to deal with the other  
38 illegal matters in the same arena.

39

40 CHAIRMAN LOHSE: Any other questions?

41 Bob.

42

43 MR. CHURCHILL: Through the Chair. I'm  
44 very interested. You say that in Korea a bear gall  
45 bladder will sell for \$10,000 a piece, is that right?

46

47 MR. MYERS: That's the information I got  
48 from the U.S. Fish and Wildlife Service.

49

50 MR. CHURCHILL: Can I ask a little more

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1 specific? I mean, what's the information base? How do  
2 we know that?

3

4 MR. MYERS: The information is I just  
5 received a list. They've got a tabulation of, basically,  
6 animals and animal parts -- all different kinds of  
7 animals that they get from various resources. Most of  
8 the resources they get from the sale of animals and  
9 illegal sales of animals and they take that database  
10 nationwide and come up with these figures.

11

12 MR. CHURCHILL: Is there any time frame?  
13 Is it okay to follow up?

14

15 CHAIRMAN LOHSE: Uh-huh.

16

17 MR. CHURCHILL: Any time frame based on  
18 that, something that happened recently? I'm getting the  
19 sense this is real anecdotal stuff that we're getting  
20 here.

21

22 MS. DEWHURST: I think I can answer that.

23

24 MR. MYERS: Go ahead.

25

26 MS. DEWHURST: I think I can answer that.  
27 I've been involved a little bit with the special agents  
28 in some of those cases, and that is recent information.  
29 That actually is on the low side. Some of the cases I  
30 was involved in, we were looking more close to \$20,000  
31 for bear gall bladders. But, like he said, it was sales  
32 illegally into the market where they are dealing with  
33 specific dealers in Asia. So the way we found out about  
34 it was we were dealing with undercover agents that were  
35 involved in sales, and these were the prices that were  
36 offered to them for these things. And I think where we  
37 get into the illegal aspect, it's not subsistence users  
38 that are hunting a bear specifically for the gall  
39 bladder. These are cases where bears are found shot by  
40 who knows shot them, but the only thing removed was the  
41 gall bladder, and there have been a number of cases. I  
42 know I have been personally involved in a number of cases  
43 on that where that's the only thing that was missing from  
44 the bear. So the bear obviously wasn't taken by a  
45 subsistence user. They weren't taken to get meat or  
46 anything. It was just shot for that one specific use.

47

48 MR. CHURCHILL: I guess what I'm saying  
49 and, bottom line, this seems to fly against a lot of the  
50 other information I've seen on the sale of bear parts,

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1 but I guess I understand that. Again, as a follow up,  
2 you indicate this is like a huge market and a huge  
3 problem. Can you share with us like the number of  
4 arrests we've had in Alaska for the illegal take of gall  
5 bladder in the last 12 months or so?

6  
7 MR. MYERS: Well, I personally can't tell  
8 you how many arrests were made here in Alaska, and I  
9 think Fish and Wildlife has a better idea. Their  
10 enforcement people have a better idea about that. But,  
11 in talking to the agents here recently they have a huge  
12 concern. It is a big problem here that they don't even  
13 have a handle on because the area is so widespread, and  
14 there's so much hunting going on here. But, I do have  
15 experience in California, which it's a huge problem down  
16 there, and of course it's strictly -- both Federally and  
17 through the State, it's restricted there. Anyway, I  
18 dealt with outfitters who it may not be the person  
19 killing the bear. I've dealt with outfitters that  
20 actually collect the gall bladders while the client just  
21 collects their hide, and then the outfitter will find a  
22 client that he can sell the bladders to. And I think  
23 that same sort of thing can happen here as well.

24  
25 MR. CHURCHILL: Just so I'm clear on what  
26 your answer is, you don't have any numbers on.....

27  
28 MR. MYERS: I don't have any numbers.

29  
30 MR. CHURCHILL: Okay. Do you know of any  
31 ongoing large-scale investigation on Federal public lands  
32 regarding the sale of gall bladders?

33  
34 MR. MYERS: I don't know of any, but I'm  
35 not sure that would be public information if it was  
36 ongoing. So.....

37  
38 MR. CHURCHILL: Again, I'm not asking for  
39 specifics, just general. So, you're not aware of any  
40 arrests in the last 12 months, and there's no ongoing  
41 investigations that you're aware of?

42  
43 MR. MYERS: The Forest Service is not  
44 conducting any. I don't know what the Fish and Wildlife  
45 Service is conducting.

46  
47 MR. CHURCHILL: Yeah. And, again, I'm  
48 just trying to clarify it for my own knowledge.

49  
50 MR. MYERS: Sure.

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1 MR. CHURCHILL: I appreciate it.

2

3 CHAIRMAN LOHSE: Donna.

4

5 MS. DEWHURST: Just to give you a rough  
6 scale, when I was working part-time enforcement out of  
7 King Salmon we worked an average of one to four cases a  
8 year over an eight year period, and that was just from  
9 that one small part of the State. And brown bears are  
10 more common down there, so it's hard to know what we're  
11 talking statewide, but those were the cases we were made  
12 aware of.

13

14 MR. CHURCHILL: And, through the Chair,  
15 were most of those cases then dealing with brown bear  
16 harvest and gall bladders or.....

17

18 MS. DEWHURST: Yeah. We don't have black  
19 bears on that part of the peninsula. It was purely a  
20 brown bear issue down there.

21

22 MR. CHURCHILL: So it was limited to that  
23 immediate area rather than.....

24

25 MS. DEWHURST: That's all I  
26 personally.....

27

28 MR. CHURCHILL: Okay. Super.

29

30 MS. DEWHURST: You were asking specific  
31 numbers.....

32

33 MR. CHURCHILL: Sure.

34

35 MS. DEWHURST: .....and that's where I  
36 can give you.....

37

38 MR. CHURCHILL: Yeah.

39

40 MS. DEWHURST: .....numbers that are  
41 solid. And we always had at least one case a year. I  
42 can remember some years where we had up to four.

43

44 MR. CHURCHILL: Conviction rate? Did we  
45 do very good?

46

47 MS. DEWHURST: Very poor, because you  
48 find a bear out in the middle of the tundra. How do you  
49 find out who shot it, you know? It was very, very poor.

50



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1 MR. CHURCHILL: Donna, thank you very  
2 much.

3  
4 CHAIRMAN LOHSE: Thank you, Bob. Fred,  
5 do you have a question?

6  
7 MR. ELVSAAS: Well, in regards to this,  
8 you know, guided hunts and so forth. You mentioned the  
9 hunter wants the hide. I don't see anything wrong with  
10 the guide taking the gall bladder. It's money. And I  
11 have a little hard time believing that it would sell for  
12 \$10,000, but I have no reason to question that, either,  
13 other than that just seems awful high. I mean, gall  
14 bladder is about that big. But if that's the market,  
15 maybe we should commercialize it. I just say that in  
16 jest. But, on the other hand, it is a shame to waste it  
17 if the bear is shot for sport or subsistence or whatever.  
18 To think that you're going to salvage a hide that has  
19 very little value in true sales value, and I just heard a  
20 little bit ago that there's no resale allowed of these  
21 hides, even if you buy them from the State. So, here is  
22 something of value, and we're going to leave it in the  
23 field. That doesn't make a lot of sense to me. I would  
24 prefer that the taker of the bear be able to market that,  
25 especially under the subsistence guidelines.

26  
27 Now, no matter what happens in regards to  
28 the subsistence regulations, hunts, whatnot, there's  
29 always going to be somebody illegally out there hunting  
30 bears just for the sake of the gall bladders, if they're  
31 that valuable. But, of all the bears I've ever shot,  
32 I've never saved a gall bladder because I never had a  
33 market for it. You know, through my lifetime, I've shot  
34 many bears and meat, and hides is what we hunt for. And  
35 I'm not a great fan of bear hides. I've managed to give  
36 away all the hides I ever had. But it just seems that  
37 here we have a valuable product, and nobody can utilize  
38 it. And yet, those that want to black market it, they're  
39 going to get it anyway, and that's where you have the  
40 bears killed and left in the field. So, a legitimate  
41 hunter should be able to salvage the parts and market  
42 them. Thank you.

43  
44 CHAIRMAN LOHSE: Marty.

45  
46 MR. MYERS: Well, in closing, I guess in  
47 response to that there are many things in this country  
48 that are illegal. Marijuana is illegal, and I suppose  
49 that's a lucrative market as well. But the bottom line  
50 is I believe that the government has established a reason

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1 why these things are particularly illegal and, in that  
2 sense, it brings the values up and drugs are the same  
3 way. So I guess the rationale to think that just because  
4 there's a market for it doesn't make it right. So, in  
5 talking with Fish and Wildlife Service -- and we concur  
6 -- is that we oppose this regulation dealing with the  
7 sale of what is currently contraband and illegal parts,  
8 and we would like to see that those things do not get  
9 mixed up in the black market.

10

11 CHAIRMAN LOHSE: Marty, while I've got  
12 you and Donna up there, I have a couple of questions. On  
13 this black market stuff, what do you feel is the current  
14 percentage of the product that's hitting that black  
15 market that's taken from legally taken animals, and what  
16 percentage is being taken from poached animals -- in  
17 other words, animals specifically taken for the purpose  
18 of obtaining these parts versus a percentage that's taken  
19 out of animals that were or would have been taken anyhow?

20

21 MR. MYERS: Well, my guess would be that  
22 if it was easy to get it from a legal source, there would  
23 be a lot of it available and the price wouldn't be so  
24 high. So, I believe that it's probably not that easy to  
25 get. Like I say, I do know that you can get these from  
26 BC, I believe, and then there's a couple of states in the  
27 Lower 48 that they're allowed to sell certain bear parts.  
28 But, for the market to be as high as it is and as  
29 lucrative as it is I don't believe that they're as  
30 available as someone may think they are.

31

32 CHAIRMAN LOHSE: Well, the other question  
33 that I had -- from a subsistence standpoint, you know,  
34 the gall bladders, bear paws, claws for aphrodisiacs,  
35 aren't a customary and traditional way of utilizing an  
36 animal. But, like Fred says, utilizing the meat and the  
37 hide is a traditional way of utilizing the animal. And  
38 we have taken things and made -- on certain animals, you  
39 can sell certain parts, but you can't sell other parts.  
40 Would we run into a problem? I know this proposal calls  
41 for classifying them as a furbearer, but could you limit  
42 what could be legally sold on a furbearer? Could you say  
43 that the hide from a legally taken subsistence bear could  
44 be salvaged and sold without having the rest of the parts  
45 being legal to be sold? Would that be possible? Could  
46 you write a regulation like that?

47

48 MS. DEWHURST: In general, we can write  
49 regulations as specific as we deem necessary. As you're  
50 probably well aware, sometimes our regulations are more

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1 general, where sometimes we get quite specific. So, I  
2 think it would be possible to hone in on specific aspects  
3 and not -- I don't think it's black and white where you  
4 say they're either totally legal or totally not. We  
5 could go somewhere in the middle and write a more  
6 specific regulation that lists what parts are and what  
7 parts aren't and what species is and what species isn't.

8

9 CHAIRMAN LOHSE: So that's the other  
10 thing that I wanted to point out to the Council, that  
11 when we have a proposal like this before us we have the  
12 ability to modify, to amend, to change, to rewrite. This  
13 proposal opens the door for our suggestions in this area,  
14 and if we want to break this proposal down from black  
15 bears to brown bears, if we want to break it down to body  
16 parts, if we want to have it taken out of furbearers and  
17 just put into a legal subsistence taken animal that is  
18 the prerogative of this Council to make that kind of a  
19 suggestion. And from what I understand, Donna, the laws  
20 can be made as specific as possible. In other words, we  
21 could address one aspect of this and say that we agree  
22 that the other aspects should remain illegal and let it  
23 go at that, couldn't we?

24

25 MS. DEWHURST: Certainly, I think the  
26 staff recommendation reflects that in that they are only,  
27 at this time, recommending handicrafts from black bear  
28 fur. So that is a very specific honed in aspect. So  
29 that would show an example of how specific you could get.

30

31 CHAIRMAN LOHSE: Mr. Churchill.

32

33 MR. CHURCHILL: Just a question for Mr.  
34 Myers. Mr. Myers, if you could, how long have you been  
35 in your position here in Alaska?

36

37 MR. MYERS: I've been here for five  
38 years.

39

40 MR. CHURCHILL: Okay. Thank you.

41

42 CHAIRMAN LOHSE: Thank you. I didn't  
43 mean to put you on the spot unprepared, but you shared  
44 some interesting information with me. I have one more  
45 person who would like to testify before we go into  
46 Regional Council deliberations. Terry Burrell.

47

48 MS. BURRELL: Yes. It will take a while.  
49 I can talk from here.

50

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1 CHAIRMAN LOHSE: If you can talk from  
2 there, that would be fine if you talk loud enough.  
3 Otherwise, we can run a mike over to you or.....

4  
5 MS. BURRELL: No problem. I'm a 40-year  
6 resident. I'm a person that was thrilled to hear the  
7 testimony of Mr. Myers because you're representing  
8 Southcentral subsistence, and how many people are there  
9 in Southcentral that you're representing? I mean,  
10 100,000, 200,000 -- how many hundred thousand people are  
11 you representing? The Daily News hasn't given any  
12 information whatsoever for what's going on. I mean, I'm  
13 a non-native. I'm a other person. I mean, there are  
14 hundreds and hundreds and thousands of people out there  
15 that don't even know about you sitting there and saying  
16 that you're going to change what the State of Alaska has  
17 had as illegal, as something that is usable, something  
18 that is saying that we can control this.

19  
20 No, don't open up a Pandora's box. I  
21 mean, for how many years have we worked as a State to get  
22 where we can protect our wildlife, be fair, give  
23 everybody an opportunity to subsist or live in the bush,  
24 give equal opportunity? I subsisted. I went without  
25 heat in my house. I went without food. I lived on  
26 freezer burned fish for quite sometime in Anchorage.  
27 Now, I mean I have a right to say that I can say what  
28 subsistence is and what subsistence is not. I did not  
29 take welfare. I did not receive one penny from the  
30 government while I was in that mode.

31  
32 Now, for you to represent Southcentral  
33 let's be fair. Let's don't question what an expert says  
34 that this is a problem. We all know it's a problem of  
35 gall bladders. Gall bladders used in the Orient is a  
36 vile, foul thing, and it makes it even more foul because  
37 it is causing our wildlife to be used in a very wasteful  
38 manner. I think that we need to support what the Fish  
39 and Game has had and have done, and I think that if  
40 you're representing Southcentral you're representing a  
41 lot of people, not just the ones that are there trying to  
42 take \$10,000 for an organ from a bear. Thank you.

43  
44 CHAIRMAN LOHSE: Well, thank you, Terry.  
45 Before you leave, you brought up a couple of points I'd  
46 like to address. Number 1, we do not make laws. We  
47 cannot change laws. We are an advisory Council. We make  
48 recommendations to a body that can change laws. What  
49 we're here to do is we're here to listen. We're here to  
50 listen to the experts. We're here to question the

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1 experts. We're here to listen to individuals like  
2 yourself. We're here to listen to public testimony, and  
3 come up with the best recommendations that we can make.  
4 We have no ability to change laws. But, what we are here  
5 to do is we are supposed to be here to represent.....

6  
7 MS. BURRELL: Everybody.

8  
9 CHAIRMAN LOHSE: We're supposed to be  
10 representing everybody but, at the same time, the  
11 subsistence interests of the rural Alaskans. And so,  
12 consequently, we have to listen to what they have to say.  
13 And then we have to take, to the best of our ability,  
14 what we know and mix it with that and come up with a  
15 recommendation that we make to a lawmaking body. They  
16 can reject our recommendation. They can expand our  
17 recommendation. They can defer our recommendation. They  
18 have the ability to make law, not us.

19  
20 MS. BURRELL: Right. However, you have  
21 the ability to not mess up and make it impossible for the  
22 two agencies -- the Federal government and the State --  
23 to act in a reasonable, fair manner. And if you start  
24 pinpointing this little place over there gets to do this  
25 and somebody else gets to do that and we're not going to  
26 treat you the same, then you're making a real mess.  
27 Thank you.

28  
29 CHAIRMAN LOHSE: But see, we don't have  
30 that ability.

31  
32 MS. BURRELL: I heard you. I apologize  
33 for not saying -- when I say you, it is the ultimate what  
34 is trying to be done, and what's trying to be done is to  
35 pinpoint, be unfair to certain people and take what has  
36 been worked on and has been refined and throw it in the  
37 face of the State and I don't believe in that. Thank  
38 you.

39  
40 CHAIRMAN LOHSE: Thank you, Terry. Any  
41 other questions? Mr. Churchill.

42  
43 MR. CHURCHILL: Thank you. Through the  
44 Chair.....

45  
46 MS. BURRELL: I will sit down, if it's  
47 going to be.....

48  
49 MR. CHURCHILL: I don't know how long it  
50 will be.

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1 MS. BURRELL: Okay.

2

3 MR. CHURCHILL: You're more than welcome  
4 to have a chair, if you wish.

5

6 MS. BURRELL: Oh, no. I'll stand.

7

8 MR. CHURCHILL: Okay. Very quickly, you  
9 addressed gall bladders, and that seemed to have a  
10 passion for you. Do you have any concerns or comments on  
11 the use of black bear hides for handicrafts or barter or  
12 trade?

13

14 MS. BURRELL: It is supposed to be  
15 illegal for it to be sold. Now, if it's going to be used  
16 as a agency to promote culture, promote use, that is  
17 something different, because you said there was a clause  
18 in there that restricted. What was that restrictive  
19 clause -- that it could be used for -- what was it, that  
20 you just quoted?

21

22 MR. CHURCHILL: Well, I think what we're  
23 talking about is that black bear hides can be turned into  
24 handicrafts and.....

25

26 MS. BURRELL: Right.

27

28 MR. CHURCHILL: .....sold in that manner.

29

30 MS. BURRELL: Yeah.

31

32 MR. CHURCHILL: So you're saying you  
33 support that?

34

35 MS. BURRELL: Definitely.

36

37 MR. CHURCHILL: Okay. Thank you.

38

39 MS. BURRELL: But, I don't think that  
40 anybody's going to go out and kill a bear that thinks  
41 that they're -- I mean, they know they can't sell it.  
42 They can't resell it. But they can use it.

43

44 MR. CHURCHILL: Thank you very much.  
45 Appreciate it.

46

47 MS. BURRELL: Okay.

48

49 CHAIRMAN LOHSE: Any other questions for  
50 Terry? Thank you. Well, if we have no further public

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1 comment -- and, again, I'd like to clarify that this is  
2 not a lawmaking body. We are not a lawmaking body. We  
3 are an Advisory Council to listen to the public, to  
4 listen to the staff, to listen to the people that we can  
5 present information to us, and then to take the  
6 information that we know for ourselves, mix it all  
7 together and come up with a recommendation. And that's  
8 the only ability that this Council has is to recommend,  
9 not change. So, with that, a motion to put this proposal  
10 on the table is in order so that we can discuss it as  
11 Council.

12

13 MR. CHURCHILL: So moved.

14

15 CHAIRMAN LOHSE: It's been moved. Put  
16 WP02-1 -- I'll read the proposal exactly as it's written  
17 -- on the table. To include brown and black bear in the  
18 furbearer's definition and allow parts to be sold.  
19 Proposed Regulation: Subsistence taking of fish,  
20 wildlife, and shellfish: general regulations.  
21 Definitions: The following definitions shall apply to  
22 all regulations contained in this part: Furbearer means  
23 a beaver, black bear, brown bear, coyote, arctic fox, red  
24 fox, lynx, marten, mink, weasel, muskrat, river (land)  
25 otter, red squirrel, flying squirrel, ground squirrel,  
26 marmot, wolf, or wolverine. Do I hear a second?

27

28 MR. ELVSAAS: I'll second it.

29

30 CHAIRMAN LOHSE: Okay. A motion has been  
31 made and seconded to put this proposal on the table.  
32 Discussion, amendments or modifications or anything are  
33 in order. Fred.

34

35 MR. ELVSAAS: Mr. Chairman, this has been  
36 kicked back and forth. There's a lot views. But, you  
37 know, we just heard the lady talking about the laws of  
38 the State and the Federal government and so forth and I  
39 believe one of the reasons we're discussing this is  
40 because those laws don't fit the needs of the people and  
41 they don't fit the proper use of the resource. We do  
42 have a law in the State of Alaska on wanton waste, and  
43 it's real difficult to look at a situation -- especially  
44 in regards to black bears -- where, if you shoot the  
45 bear, you have to salvage some of the meat. I was told  
46 40 percent.

47

48 Now, in my case, I salvaged all of the  
49 meat possible, which is a little more than 40 percent.  
50 But, in turn, to throw away a valuable resource, or

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1 wanton waste of the gall bladder, doesn't make a lot of  
2 sense to me. Yes, there is a law against it right now,  
3 but is the law a good law? That's the dilemma here. The  
4 parts. The claws. The bear teeth. Those are valuable  
5 things to people. But, in turn, because the present law  
6 says that you can't utilize them, that doesn't make sense  
7 to me.

8  
9 So, you know, I don't have the perfect  
10 answer. I wish I did. But, I feel really negligent in  
11 thinking that I could just disregard this thing and say,  
12 well, let's go with present law. I don't think present  
13 law is right. If you throw the meat away, then you get  
14 fined. And yet, on the other hand, you throw the gall  
15 bladder away because it's illegal to use it or sell it or  
16 keep it. I guess you can keep it. I don't know. But,  
17 that's what we need to face here. And I know there's  
18 quite a difference between the brown bear and the black  
19 bear, and I think as we go along here we need to look at  
20 probably amending this motion. My preference would be to  
21 amend it at this point to just address utilization of the  
22 black bear.

23  
24 I know within the State guidelines they  
25 have specific seasons and catch limits and restrictions  
26 on the brown bears. In the Cook Inlet area, I believe  
27 it's every third season instead of Spring and Fall hunt  
28 seasons, and I think it's every third season you can take  
29 a brown bear. But, nonetheless, let's take a look at  
30 this as to how best to utilize the resource. We heard  
31 Mr. Carpenter talk about this. You know, maybe they are  
32 worth \$10,000. I have a hard time accepting that, but  
33 give that as a number. Here we're going to go out and  
34 shoot a bear, pack the meat out, save the hide or not --  
35 whichever you prefer -- but you're going to leave a  
36 \$10,000 gall bladder laying the woods. That doesn't  
37 sound right to me somehow. That's wanton waste in the  
38 worst extreme. With that, I'll listen to somebody else.

39  
40 CHAIRMAN LOHSE: Sue.

41  
42 MS. WELLS: Well, I'm not quite sure I've  
43 got all my thoughts together here, but I agree that we  
44 should probably discuss the black bear at this time. And  
45 my concern is with the definition of the bear becoming a  
46 furbearer, that is the avenue that we're using to have  
47 access to use the total bear parts. Am I correct, Mr.  
48 Lohse? So, by redefining the black or the brown as a  
49 furbearer, then that opens it up for me to use the teeth  
50 or the claw or the hide.



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1                   If we were to keep it as a big game  
2 animal for hunting, could we rewrite the regulation to  
3 allow us to use them under those circumstances, too --  
4 the bear parts?

5  
6                   CHAIRMAN LOHSE: I don't know. Correct  
7 me if I'm wrong on this, Donna. I don't think that we  
8 deal with big game hunting. We deal with subsistence  
9 hunting.

10  
11                  MS. WELLS: Okay.

12  
13                  CHAIRMAN LOHSE: And we have legal  
14 methods and means for taking subsistence animals.  
15 Currently, we can take black bear for subsistence  
16 purposes with a rifle, a shotgun, a bow and arrow or a  
17 current legal hunting weapon is what you're currently  
18 allowed to take a black bear for. Our seasons are set up  
19 around current hunting weapons. So, you could have a  
20 subsistence bear season and address it under a  
21 subsistence bear season without classifying it as a  
22 furbearer and allow the sale of certain parts or whatever  
23 you wanted to do, and you could do it that way, yes.

24  
25                  MS. WELLS: Uh-huh. (Affirmative)

26  
27                  CHAIRMAN LOHSE: You could address it  
28 that way.

29  
30                  MS. WELLS: I have to agree with Mr.  
31 Elvsaas on that \$10,000 for this particular bear part and  
32 with the lady that made the comment about it being used  
33 in such a foul manner. And I agree that it is a foul  
34 waste of the resource to shoot an animal just for that  
35 gall bladder. The other side of me is saying \$10,000  
36 would do a lot for enforcement and a lot of money to be  
37 for the use of enforcement if we went with the  
38 controlled. That's just a thought. But, I'm concerned  
39 about also opening up the taking of these animals --  
40 changing the subsistence use just for the fur or the claw  
41 -- and that's something I'd like to hear some more  
42 discussion on.

43  
44                  CHAIRMAN LOHSE: Mr. Churchill.

45  
46                  MR. CHURCHILL: Thank you. I guess what  
47 -- and, like Susan, I'm kind of running through this  
48 mentally -- the testimony has been pretty clear that  
49 we've got bag limits that exist now that are allowing an  
50 increase in most black bear populations. We're not now

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1 taking up to the legal limit, and I think that kind of  
2 argues against a flourishing black market in bear parts.  
3 And I'm also thinking -- and with all due respect to the  
4 Vice Chair, I think he's got a great idea of maybe  
5 implementing this in a two-step process, that we  
6 recommend to the Board that we might start this process  
7 with black bear -- a little more easy to deal with.

8

9 The thing that I've heard and seen is  
10 that I think that culture by culture, group by group,  
11 will deal with this as it's allowed and it's consistent  
12 with their values. I don't see a huge danger in  
13 insulting folks. I notice currently under the furbearer  
14 regulations the wolverine, which certainly speaks that  
15 that needs to be treated with great respect, and it's  
16 currently so classified.

17

18 The other thing is a real practical  
19 reality. I mean, you know, gas for your snow go is  
20 spendy. I mean, you're paying three and half bucks a  
21 gallon. And if somebody can support that in order to get  
22 out in the field and do more harvesting by selling the  
23 claws or a skull of a black bear I would certainly  
24 support that. I think it's consistent with traditional  
25 harvest and use. These things evolve. That's the beauty  
26 of an oral tradition is that values change, as long as  
27 the core respect of both the resource and the individual  
28 is shown. So, I mean, where I'm at -- and, again, as  
29 through the comments of a number of this Council -- is  
30 separating out black bear and maybe recommending to the  
31 Board that we go forward, whether it's through  
32 reclassifying the black bear as a furbearer or changing  
33 the regulations as it allows to being able to use the  
34 animal and its parts. That's kind of where I'm going at  
35 this point.

36

37 CHAIRMAN LOHSE: Gilbert, any comment?

38

39 MR. DEMENTI: I think we're talking a big  
40 game animal here, trying to classify it as a fur animal.  
41 I mean, you know, a furbearing animal is usually small.  
42 You've got to trap them. And the only way you can get a  
43 brown bear, even if you trap them, is shoot them. I  
44 don't know. I have my reservations on this. I don't  
45 know. I see his additional information on this -- and  
46 Craig Fleener got this information from Western Canada --  
47 and it's been allowed there. So, I thought I might be  
48 going with Craig Fleener's, you know, proposal. But, I  
49 got my reservations, also.

50

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1 CHAIRMAN LOHSE: Fred.

2

3 MR. JOHN: Mr. Chair, out of respect for  
4 the bear I'd like to -- first thing is throughout the  
5 Athabaskan nation there's different cultural and respect  
6 for bear in different ways. I don't want to make some  
7 kind of advice here that will disrespect another culture.  
8 And another thing is we put bear in a category with  
9 rabbits and squirrels and everything. I think that's a  
10 disrespect for the bear myself. I think that's a real  
11 disrespect. I think bear has a classification of its  
12 own.

13

14 And another thing is we start talking  
15 about money value over cultural value and value of bear  
16 claws. In my culture, sometime in my village when you  
17 put down a person you call them a wolverine. To us, a  
18 wolverine is kind of the lowest form of animal there is.  
19 You're a wolverine, you know? We don't call nobody a  
20 bear. You know, they'd be so proud of it.

21

22 And talking about killing bear, we  
23 respect bear very highly. I would say bear like white  
24 meat better than brown meat, you know. In the native  
25 community, the native really respect bear, and that  
26 respect means total respect. But, you know, a lot of  
27 tourists come up here and they try to pet bear because  
28 they see it on TV, you know, and they get eaten up. You  
29 know, that's what I'm talking about, those that don't  
30 know or don't have any respect for bear. You don't pet  
31 bear.

32

33 Bear coexists for thousands of years with  
34 moose and other animal, and all the animals still exists.  
35 We go down and try to blame bears on shortage of moose  
36 and everything. It's more people. That's what I  
37 believe. And I don't know, I'll probably just say that,  
38 but I don't want to classify bear just as a rabbit, you  
39 know. Bear don't stay up all year round. They sleep  
40 probably nine months out of the year in winter time.  
41 They don't go looking for moose. It's probably in  
42 summertime. We eat bear. Those that eat bear probably  
43 just eat it in the springtime. They don't eat it in the  
44 fall time because when they're out fishing and  
45 everything, they're smelly. They don't taste good and  
46 everything.

47

48 I'm against this. In my culture back  
49 there, we used to use bearskin for dances when we'd go to  
50 another village, and then we had what we called just

00052

1 regular bear fighters, and they respect bear. They use a  
2 spear about five feet long, and they're a special group  
3 of elite fighters that all they do is take on bear. It's  
4 a pretty elite group. We don't have them anymore. I  
5 mean, the present law, to me, is good, because if we do  
6 go out and kill bear it's either self defense or, if we  
7 do kill a bear, we need it. And I don't think we'd just  
8 go out to kill a bear for the \$10,000 money value and  
9 everything, and my people usually talk to a bear before  
10 they go out there. I mean, talk to the bear. We don't  
11 go down bragging about how many bear we're going to kill  
12 or we're going to go out killing bear tomorrow and  
13 everything. It's just out of respect for bear.

14

15 I'm totally against this. I don't like  
16 it. I don't want it. And I know, as far as I know, the  
17 people in Mentasta will back me. Thank you.

18

19 CHAIRMAN LOHSE: Thank you, Fred. Well,  
20 I'm going to make some comments on it myself. I'm also  
21 totally against turning them into a furbearer. At the  
22 same time, I think of the precedent this Council set when  
23 we talked about customary and traditional on salmon on  
24 the Copper River, and we pointed out the fact that we  
25 wanted it taken for food first and if there was something  
26 left over that could be sold -- but not that it would  
27 become the idea that you would take them for sale and  
28 then save a few for food. The idea was that you took  
29 them for food.

30

31 I don't know what kind of effect it would  
32 have on the culture to make use of the hide. I know that  
33 in certain parts of Southcentral to salvage the hide  
34 would be customary and traditional, if you had a means of  
35 using it and selling it. But, at the same time, I don't  
36 see a Oriental market as being a customary and  
37 traditional subsistence use of bear parts. And so, I  
38 could not support the sale of gall bladders and dried  
39 paws and stuff like that.

40

41 Basically, for me, I just wonder if under  
42 current seasons and bag limits that we have -- our  
43 current regulations -- if the ability to sell the hide,  
44 to salvage the hide in the field and salvage the hide  
45 would change the harvest level. Poaching exists. Those  
46 high priced bear parts are going to encourage poaching.  
47 We've heard about it in our area. I'm sure other people  
48 have heard about it in other areas. The fact that you  
49 can legally sell something that you legally took that was  
50 customary and traditional to do for certain individuals

00053

1 isn't probably going to change that poaching.

2

3                   So, the only way that I could support  
4 this thing would be if it was under current subsistence  
5 bag limits and seasons and I felt that there wouldn't be  
6 any increase in harvest and it would just salvaging a  
7 customary and traditional part that we currently  
8 evidently can do for handicraft purposes. But, I know  
9 for a fact that that \$60, a guy might haul the hide out  
10 of the woods rather than leave it in there like I've  
11 known individuals to do because they were after the meat,  
12 and the meat came first. And so that's where I would sit  
13 on it. I would not want it as a furbearer. And much as  
14 there's big income in it, Fred, I couldn't support the  
15 sale of gall bladders. Mr. Churchill.

16

17                   MR. CHURCHILL: I guess I was really  
18 interested in Fred John's thoughts. I see this as a  
19 proposal really trying to get at the ability for folks  
20 who are taking black bear primarily for food, and it's a  
21 shame, if it's within their cultural values, to not be  
22 able to use the claws or the skull or the teeth  
23 consistent with those values. I also agree that we don't  
24 want to create a flourishing gall bladder market if, in  
25 fact, those prices are obtainable. But I keep coming  
26 back to the fact that we've got bag limits now, and we're  
27 not even getting close to them. It just seems a shame to  
28 leave things in the field -- again, like claws, like  
29 skulls, where people could turn that into dollars to  
30 support other parts of a subsistence lifestyle, whether  
31 it's buying flour or salt or other items to help support  
32 themselves. It doesn't seem to me we're in any danger of  
33 pushing the resource at all, given everything that we've  
34 heard. And if we do this thoughtfully and just allow the  
35 take -- again, not reclassify these as furbearers, but  
36 allow those to be taken from the field, it would seem to  
37 at least go a little ways towards helping folks that are  
38 taking them now.

39

40                   CHAIRMAN LOHSE: Fred.

41

42                   MR. JOHN: You know, I'm not against  
43 selling the claws or, you know, trading the claws,  
44 bartering and everything because down in the Lower 48 on  
45 the reservation I've talked to a lot of people that, you  
46 know, ask the native people up here if they could, you  
47 know, send down claws because they use it. They don't  
48 have bear down there anymore or if any -- you know, I  
49 don't know, they probably do someplace. But, on a  
50 reservation, you could get good money for bear claws

00054

1 because they use bear claws and use bear teeth for  
2 necklace and everything in their traditional way. But,  
3 what I'm trying to say is I think I'm against it just  
4 because, you know, I think there's so many different  
5 belief in Alaska among the native people. Even in my  
6 village, on my father's side they eat bear. On my mom's  
7 side, they don't. Not that my dad disrespect bear, but  
8 he grew up, you know, in a different clan, so he eats  
9 bear, you know. And then, on my dad's side, there's what  
10 you call those hunters that just go out after bear alone.  
11 They're bear killers. They practice and they practice  
12 and they practice and, you know, they fight bear. I  
13 don't know if it's sports or it's cultural, or whatever,  
14 but it's a pretty neat thing. I'm not against, you know,  
15 using it and selling it and everything. It's just that  
16 it's a lot of -- turning it into a furbearing animal and  
17 going out and just getting it, you know -- seems like the  
18 classifying it and all that.

19

20 CHAIRMAN LOHSE: Susan.

21

22 MS. WELLS: I'd have to agree with  
23 whoever it was. I can't see classifying bear, whether  
24 it's brown or black, as a furbearer. And it is  
25 unfortunate for me that Craig Fleener is not here. I  
26 would really appreciate his personal viewpoints. It's  
27 not clear enough in this proposal to -- you know, I don't  
28 have his background, and I don't have that. So, at this  
29 time, I couldn't support this. I do support the use and  
30 the taking of bear parts for personal use, rather than  
31 leaving them to waste in the field.

32

33 CHAIRMAN LOHSE: Susan, I think that's  
34 currently legal. You can take all the bear parts that  
35 you want for your own personal use. It's just the sale  
36 of the bear parts that's illegal. And, from what I  
37 understand from listening to the comments before you can  
38 give them to anybody that you want to and I think I got  
39 the inclination that you could barter them for other  
40 subsistence resources but you couldn't sell them and I'm  
41 not sure if we have a clarification on that.

42 Mr. Churchill.

43

44 MR. CHURCHILL: Yeah, Mr. Chairman. Is  
45 it possible for us to recommend to the Board that, in  
46 fact, we are not in favor of this as written. However,  
47 we would encourage a regulatory change that would allow  
48 for the sale consistent with the subsistence taking of  
49 black bear for parts and specifically name those parts --  
50 you know, fur, skull, teeth and claw only? And, that

00055

1 way, it would address the gall bladder issue, would allow  
2 us to test this out, would certainly not disrespect the  
3 black bear because it would not be classified as a  
4 furbearer. It would stay with its classification as a  
5 big game animal, and that would seem to address the  
6 concerns we've expressed here and allow the Board to deal  
7 with it. And, at that time, Mr. Fleener hopefully will  
8 be in the State and could address any concerns to the  
9 Board.

10

11 CHAIRMAN LOHSE: Mr. Churchill, it's  
12 definitely within our prerogative to modify it, change  
13 it, or give what we feel is what we would think would be  
14 proper on it. If something like that is going to be  
15 done, a motion needs to be put on the floor to amend it  
16 in that way, and that motion then has to go up as an  
17 amendment and then we vote on the proposal, as amended,  
18 or on the amended proposal.

19

20 MR. CHURCHILL: Then I'd like to offer an  
21 amendment to the proposal that we're discussing. I'd  
22 like to amend it to allow the taking, use and sale of the  
23 parts of a black bear to include the fur, claws, skull  
24 and teeth. Yeah, that would be what I'd like to offer.

25

26 CHAIRMAN LOHSE: Is that taking under  
27 current legal subsistence regulations?

28

29 MR. CHURCHILL: Yes, absolutely. Yes.  
30 Thank you.

31

32 CHAIRMAN LOHSE: And bag limits and  
33 harvest.....

34

35 MR. CHURCHILL: Yes. All other things to  
36 remain the same.

37

38 CHAIRMAN LOHSE: Okay, under current  
39 regulations. Okay, so what I got for your amendment was  
40 to allow taking under current regulations for seasons and  
41 bag limits black bear, and the use and sale of the hide,  
42 skull and claws.

43

44 MR. CHURCHILL: And teeth.

45

46 CHAIRMAN LOHSE: And teeth, okay. Do I  
47 hear a second?

48

49 MR. ELVSAAS: I will second that.

50





00057

1 me that not only in the subsistence area but throughout  
2 the State that something that's harvestable should be  
3 harvested rather than left to rot in the wild. But, as I  
4 understand now, the amendment is to allow the taking of  
5 black bear -- the meat, the fur. I guess instead of fur  
6 we should say hides because we're agreeable that's it's  
7 not a furbearer. So we better not say fur. So we better  
8 say the hides, the claws, and the teeth and just not even  
9 mention the gall bladder at this point. I'm comfortable  
10 with that, because this will start some discussions with  
11 other Advisory Committees and so forth.

12

13 I know several are deferring this -- we  
14 heard earlier -- waiting to see if somebody is going to  
15 make a move on it, and I think we're -- negligent, I  
16 guess, is probably not the right word, but I'll use it --  
17 negligent in not addressing the issue. We know it's  
18 before us. We know it's being done. We know the  
19 resource is there. And I would vote for the amendment,  
20 and I think we're all agreeable it's hides instead of  
21 fur.

22

23 MR. CHURCHILL: Absolutely.

24

25 MR. ELVSAAS: Thank you.

26

27 CHAIRMAN LOHSE: Susan.

28

29 MS. WELLS: As far as bartering,  
30 according to the State there is no mechanism unless -- I  
31 mean, the only way that it could be used would be by  
32 handcraft, if something was made into an item. And  
33 still, then the purchase, sale or barter of it would be  
34 prohibited under State regulations. But, under ANILCA,  
35 Title 8, Section 803, the phrase subsistence uses is  
36 defined to include for the making and selling of  
37 handcraft articles for -- and then, there's something  
38 left out there. The applicable language says for barter  
39 or sharing for personal or family consumption and for  
40 customary trade. So we do have, under ANILCA, the  
41 mechanism for that, am I not correct?

42

43 UNIDENTIFIED SPEAKER: Uh-huh.

44 (Affirmative)

45

46 MS. WELLS: Okay. So we do have that,  
47 and so we're really asking that this hide and this  
48 resource and the respect of this animal not be wanton  
49 waste. And, again, I'll say it. I'm opposed to it being  
50 a furbearer, but I think this will give us more teeth.

00058

1 Do not leave, you know, a part of this revered and  
2 respected animal in the forest. And so, you know, I  
3 think that if we could encourage subsistence and the  
4 Federal law to include this, that it's giving us some  
5 definition that maybe the users of that would harvest  
6 this and then barter. I mean, then it would also give an  
7 opportunity here for the sale.

8

9 The sale concerns me. I have  
10 reservations for the term sale. There does need to be  
11 some avenue for subsistence users to make good for their  
12 work.

13

14 CHAIRMAN LOHSE: Mr. Churchill.

15

16 MR. CHURCHILL: Yeah. I guess, having  
17 talked to some of the fur buyers and looked at these  
18 catalogues, I don't thing think the market is so  
19 lucrative that we're going to create a huge drain on the  
20 resource. And there's a concern, but it's not an  
21 overriding concern with allowing the sale of these  
22 specific items off of a black bear. And just so that  
23 we're all clear, there's nothing in this amendment to  
24 indicate that we're reclassifying either the brown bear  
25 or black bear as a furbearer.

26

27 CHAIRMAN LOHSE: Thank you, Bob. Fred,  
28 in answer to some of the things you brought up.  
29 Currently, we can use any part of any bear. We can't  
30 sell. And it doesn't whether or not somebody else shot  
31 it or whether you found it or not. You can not pick up a  
32 part of a bear and sell it. There is no sale of bear  
33 parts, period.

34

35 And, as to what you were bringing up,  
36 Sue, ANILCA allows customary trade and barter. One of  
37 the things that we've been trying to define is what is  
38 customary trade and barter. And, to me, the sale of gall  
39 bladders would never fit under customary, because they  
40 weren't customary by a long shot. The trade and sale in  
41 hides and teeth and claws are probably customary. It's  
42 currently allowed. It's not defined, and so there's been  
43 no legal challenge in court on it, either. So,  
44 technically speaking, if a subsistence user did customary  
45 trade and barter bear parts, what we have is we have no  
46 definitive law written on it.

47

48 That's one of the things that's trying to  
49 be done with the customary trade and barter committees  
50 and everything is to come up with, you know, what is

00059

1 customary trade. Sale is an exchange. It's an exchange  
2 for cash, is the way it's defined as -- just the same as  
3 if you exchanged it for meat. Well, for lack of a better  
4 way of thinking of it, I think of the Old Testament law  
5 on tithing where he said that, you know, if the place  
6 that you're going is too far to go, exchange your grain  
7 and crop and everything for money, bind it up in your  
8 hand and take it there and buy what you want to buy when  
9 you get there, and that's basically what happens when  
10 you exchange something for cash. Then you take that cash  
11 and you go someplace else and you buy something with it,  
12 and so you're trading with an in between. So, for lack  
13 of a better way of putting it, I'm just trying to give  
14 you some background on where we're at on that right now.  
15 Sue.

16

17 MS. WELLS: Then I have one, hopefully  
18 law question. Well, if we were to approve this motion to  
19 include the black bear, and allow the taking under  
20 current legal regs -- the use and sale of the hide -- we  
21 already have that under ANILCA for a subsistence user.  
22 Would we eventually be restricting what we have now  
23 by.....

24

25 CHAIRMAN LOHSE: I feel we would probably  
26 be defining what we as a Council think is customary.  
27 Again, remember, we're making recommendations. We're  
28 trying to put our input into it from the way we see it  
29 with the information that we've received, the way we see  
30 it from our background. Fred shared a lot of background  
31 today and the idea of the fact that different clans see  
32 it different. I ran into that 35 years ago, where I was  
33 out on the peninsula. We had one family in the village  
34 that were the bear hunters and they were extremely highly  
35 respected and they did all the bear hunting. And so, all  
36 of these things come into the issue. And currently under  
37 ANILCA, ANILCA allows for customary trade and barter.  
38 But, somewhere along the line, as Councils we have to  
39 give our recommendations as to what we do think is  
40 customary, and that's basically what you're doing right  
41 here. And, again, remember it's a recommendation. It  
42 goes in with all of the other Council recommendations,  
43 and the Board will do the deliberations after hearing all  
44 of the other information on it, also. Mr. Churchill.

45

46 MR. CHURCHILL: And, just for the record,  
47 the intent of the motion was not totally inclusive. It  
48 was saying at a minimum to allow for the sale. And,  
49 again, we're not talking about making these a furbearer  
50 -- the black bear, and I was just talking to the black

00060

1 bear -- at all. That was not the intent. It was just to  
2 allow for the sale of those specific parts, and it was  
3 clarified hide, claws, skull and teeth. And I don't see  
4 that as saying that's all that's customary and  
5 traditional, but I see it as saying those are included  
6 among the things that are customary and tradition. So I  
7 don't think it slams any doors for us.

8

9 CHAIRMAN LOHSE: The other thing I came  
10 across when Susan reread the thing, I was under the  
11 impression that it was under current subsistence  
12 regulations. In other words, this is not applying to  
13 State regulations across the board. This is applied to  
14 the current subsistence regulations regarding methods,  
15 means and bag limits on black bear. And I think I said  
16 that when I read it the first time. I hope I did.

17

18 UNIDENTIFIED SPEAKER: Yes, you did.

19

20 CHAIRMAN LOHSE: Okay, any further  
21 discussion? You know, if we keep going like this we'll  
22 be here till Saturday.

23

24 MR. JOHN: I've got a definition for  
25 barter, trade and sale. Like our native moccasin, you  
26 trade it for \$50, and they sell it for \$150.

27

28 MR. CHURCHILL: If I'm understanding the  
29 Chair correctly, I'd call the question then.

30

31 CHAIRMAN LOHSE: Okay. The question has  
32 been called. We're voting on the amendment.

33

34 MR. ELVSAAS: Mr. Chair.

35

36 CHAIRMAN LOHSE: Yes.

37

38 MR. ELVSAAS: It's seems like they wanted  
39 recorded both ayes and nays.

40

41 CHAIRMAN LOHSE: Right. We have to ask  
42 for both.

43

44 MR. ELVSAAS: Do you want the roll for  
45 that then?

46

47 CHAIRMAN LOHSE: No, we don't need a roll  
48 call vote. We just need to call for both.

49

50 MR. ELVSAAS: Oh, okay.

00061

1 MR. JOHN: Mr. Chair, can you restate the  
2 amendment -- I mean what.....

3  
4 CHAIRMAN LOHSE: Okay.

5  
6 MR. JOHN: .....the correct wording?

7  
8 CHAIRMAN LOHSE: Okay. Now, I don't  
9 know, maybe Ann can correct me, if I'm wrong. But, it  
10 was to allow for the taking black bear under current  
11 subsistence regulations regarding methods, means and bag  
12 limits and allow the use and sale of the hides, teeth,  
13 claws and skull.

14  
15 UNIDENTIFIED SPEAKER: Of black bear?

16  
17 CHAIRMAN LOHSE: Of black bear, yeah.  
18 The black bear was way up in there.

19  
20 MR. DEMENTI: So we're just dealing with  
21 black bear?

22  
23 CHAIRMAN LOHSE: We're just dealing with  
24 black bear. We're just dealing with hides, teeth, claws,  
25 skulls. Did you include the meat in that, too? I didn't  
26 have.....

27  
28 MR. CHURCHILL: No.

29  
30 CHAIRMAN LOHSE: It was just the hides,  
31 teeth, claws and skulls? I don't know. I think as a  
32 Council we just take for granted that if you're taking  
33 the animal you're taking it for meat, just like if you're  
34 taking the salmon you're taking it for meat.

35  
36 MR. DEMENTI: Exactly.

37  
38 MR. CHURCHILL: Exactly.

39  
40 CHAIRMAN LOHSE: And so, it's to allow  
41 for the use of the other parts that you wouldn't have use  
42 of yourself.

43  
44 MR. CHURCHILL: Exactly, yeah.

45  
46 CHAIRMAN LOHSE: Okay. That's an  
47 understanding and a clarification that, you know, as a  
48 Council I think we need to make sure that we have in our  
49 records is that our idea of the subsistence taking of a  
50 bear is for meat.

00062

1 MR. CHURCHILL: Make sure the secretary  
2 gets all that.

3  
4 CHAIRMAN LOHSE: Yeah. Okay. With that,  
5 we have an amendment on the table. The question's been  
6 called for. All in favor of the amendment, signify by  
7 saying Aye.

8  
9 IN UNISON: Aye.

10  
11 CHAIRMAN LOHSE: All opposed, signify by  
12 saying nay.

13  
14 (No opposing responses)

15  
16 CHAIRMAN LOHSE: Motion carries. We now  
17 have an amended motion on the table, and this amendment,  
18 I feel, precludes all of the rest of the proposal. Am I  
19 correct? In that case, if there's no further discussion,  
20 a question on the motion as amended is in order.

21  
22 MR. CHURCHILL: Call the question.

23  
24 CHAIRMAN LOHSE: Question.....

25  
26 MS. WELLS: Can we read it again, Ralph?

27  
28 CHAIRMAN LOHSE: I'm going to let Ann  
29 read it again. I can read it again, if you like. It's  
30 allow for the taking of black bear under current  
31 subsistence regulations regarding methods, means and bag  
32 limits and allow for the sale of the hide, the skull, the  
33 claws, and the teeth. Ann.

34  
35 MS. WILKINSON: If you're going to vote  
36 on the proposal, it would seem you need to make a  
37 statement about not reclassifying it as a furbearer.

38  
39 CHAIRMAN LOHSE: Okay. Well, that's why  
40 I was asking the question whether this amendment  
41 precludes the original proposal, and the idea of the  
42 whole original proposal as a furbearer is not part of  
43 this motion. Susan.

44  
45 MS. WELLS: Well, I understand his motion  
46 when we started this out was to include brown bear and  
47 black bear in the furbearer definition and allow the  
48 parts to be sold. That was the original motion.

49  
50 CHAIRMAN LOHSE: Right. Right.

00063

1 MS. WELLS: And so, I didn't hear the  
2 reclassification of furbearer in the amendment.

3  
4 MR. CHURCHILL: It's not. I mean.....

5  
6 MS. WELLS: So.....

7  
8 MR. CHURCHILL: .....that precludes all  
9 that other language.

10  
11 CHAIRMAN LOHSE: That precludes all that  
12 the other language.

13  
14 MR. CHURCHILL: We're not.....

15  
16 CHAIRMAN LOHSE: We're amending the  
17 proposal to only include what we put in the amendment.  
18 Bob.

19  
20 MR. CHURCHILL: Essentially, what we're  
21 voting on is the amendment. We substituted the amendment  
22 for the original language, and now we're revoting on the  
23 same thing we voted on before, that that's going to be  
24 what goes forward.

25  
26 CHAIRMAN LOHSE: Well, maybe we need to  
27 take a motion that this amendment is a substitute for the  
28 original proposal so that the understanding is on paper  
29 that we as a Council recognize that this amendment is a  
30 substitute for the original proposal, if that would make  
31 you more comfortable, Sue.

32  
33 MS. WELLS: Well, yes, because if.....

34  
35 CHAIRMAN LOHSE: Okay.

36  
37 MS. WELLS: .....if we had to vote on it,  
38 you know, the way it was originally there, even though we  
39 amended it we did not take out furbearer definition.

40  
41 CHAIRMAN LOHSE: Okay. Okay.

42  
43 MS. WELLS: And I would have to vote  
44 against that. It needs to be very bold-facely defined  
45 that we aren't voting on the furbearing definition.

46  
47 MR. CHURCHILL: That was included in the  
48 discussion, but I'm perfectly comfortable including  
49 language to that.

50

00064

1 MS. WELLS: I want it. Yeah, I need it  
2 in there.

3  
4 CHAIRMAN LOHSE: Okay. Well, then, a  
5 further -- you know, we have got a motion on the table,  
6 but we can have an amendment on the table. We can put  
7 another amendment on the table, and that amendment would  
8 be that this precludes the original motion.

9  
10 MR. CHURCHILL: Well, having made the  
11 original amendment, then I'd like to state for the record  
12 that that amendment is in whole, in total the language  
13 that we're recommending to the Board, to preclude all  
14 other language embodied in proposal 1.

15  
16 MS. WELLS: And, also, only with regard  
17 to the black bear.

18  
19 MR. CHURCHILL: That's what it says.

20  
21 MS. WELLS: Okay.

22  
23 MR. CHURCHILL: So, if we have a second,  
24 we can call a question.

25  
26 CHAIRMAN LOHSE: Okay. Do you we have a  
27 second on that? Susan.

28  
29 MR. JOHN: Discussion okay?

30  
31 CHAIRMAN LOHSE: Well, we need a second  
32 before we can discuss it.

33  
34 MS. WELLS: I'll second it.....

35  
36 CHAIRMAN LOHSE: Seconded, okay.

37  
38 MS. WELLS: .....for discussion.

39  
40 MR. JOHN: I'm going to vote against all  
41 of this, because I think we need a little more study, a  
42 little more time with other Councils -- find out, you  
43 know, what -- this goes all over Alaska, I think, if it's  
44 going to go, and I'm not very comfortable with this whole  
45 thing right now. Just that I think I need a little more  
46 information, little more input, and I'm not very  
47 comfortable.

48  
49 CHAIRMAN LOHSE: Mr. Churchill.

50



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1                   MR. CHURCHILL: With all due respect to  
2 member John, I am comfortable making the recommendation  
3 because I think it allows for that discussion that we're  
4 looking for in front of the Board, and we've addressed  
5 the issue of not making the black bear -- and we are only  
6 dealing with black bear -- a furbearer. It continues to  
7 be classified as a big game animal. We're just creating  
8 a situation where folks that are taking those bears for  
9 subsistence needs can then use other parts of the bear  
10 that would otherwise not be available to them to support  
11 themselves, whether it's for gasoline or other things  
12 they need. It seems to be something that I'd like to see  
13 discussed at the Board level.

14  
15                   CHAIRMAN LOHSE: Okay. Fred, we have an  
16 amendment on the table right now that this motion  
17 precludes and is a substitute motion for the original  
18 proposal, and so first we need to vote on that before we  
19 vote on the proposal. Fred.

20  
21                   MR. ELVSAAS: Well, I'd like to speak to  
22 the amendment that you're talking about.

23  
24                   CHAIRMAN LOHSE: Good.

25  
26                   MR. ELVSAAS: Okay. It's important.....

27  
28                   CHAIRMAN LOHSE: Ann, what?

29  
30                   MS. WILKINSON: I'm sorry. I'm getting a  
31 bit confused. You made an amendment, specific as it was,  
32 and then we're voting on the proposal as amended or  
33 modified. When I talked about I wanted something that  
34 made it clear that you were not supporting  
35 reclassification -- and I don't.....

36  
37                   CHAIRMAN LOHSE: You don't think we need  
38 another amendment for that?

39  
40                   MS. WILKINSON: No, no.

41  
42                   CHAIRMAN LOHSE: We just need to make  
43 that clear.

44  
45                   MS. WILKINSON: Right, right.

46  
47                   CHAIRMAN LOHSE: Okay. Well, the  
48 perpetuator of the amendment made it clear that this is  
49 in substitution for the whole proposal. Fred.

50

00066

1 MR. ELVSAAS: Well, I was going to get to  
2 that. You know, the heading, the number of the proposal  
3 is there. When the Board reviews this, they need to know  
4 that this proposal was made as spelled out, and that we  
5 amended it to that point. So, when the Board looks at  
6 this, it's going to come from all of the areas, all the  
7 Advisory Councils -- hopefully, they will all respond --  
8 and they will define from all the advice given them what  
9 they want to do with it. My first thought is they'll  
10 probably defer it and refine it a little further even.  
11 But, in regards to that, I think that if the proposal  
12 before the Board is written the way it is written to us  
13 and then the amendment is stated that clarifies  
14 everything and I don't we need the second amendment.

15  
16 CHAIRMAN LOHSE: Okay.

17  
18 MR. ELVSAAS: Thank you.

19  
20 CHAIRMAN LOHSE: That's what I thought,  
21 but I wanted to make it perfectly clear, as Susan said,  
22 that this is in substitution to the furbearer one, that  
23 it is not a tack on to it. And I think we've made that  
24 clear enough. With that case, I guess we can withdraw  
25 the fact that those were amendments offered.

26  
27 MR. CHURCHILL: The maker of the  
28 amendment with withdraw it, given the fact that the  
29 record has been clarified.

30  
31 CHAIRMAN LOHSE: Okay. Will the second?

32  
33 MS. WELLS: Yes.

34  
35 CHAIRMAN LOHSE: Okay. So, we're back to  
36 the motion, as amended, which is our proposal then.  
37 Okay. And is there any further discussion? Then the  
38 question is in order.

39  
40 MR. ELVSAAS: Question.

41  
42 CHAIRMAN LOHSE: The question has been  
43 called. All in favor -- do I need to read it again? Do  
44 we all understand it? Okay. All in favor of the motion,  
45 as amended, signify by saying Aye.

46  
47 IN UNISON: Aye.

48  
49 CHAIRMAN LOHSE: All opposed, signify by  
50 saying nay.

00067

1 MR. JOHN: Nay.

2

3 CHAIRMAN LOHSE: Motion carries. Fred,  
4 would you like to give Ann your reasons for the nay? And  
5 I think you gave them out loud. I think she's already  
6 got them.

7

8 MR. JOHN: I don't have to give a reason  
9 for voting.

10

11 CHAIRMAN LOHSE: No. Okay. That was a  
12 simple one. Now, let's get on to one of the hard ones,  
13 and it's almost five minutes of 12:00. I think someone  
14 was overly optimistic. They only rented a room for me  
15 for one night. Well, last night doesn't count. We  
16 didn't have a meeting last night. Okay, it's five  
17 minutes to 12:00. I think we should take a recess for  
18 lunch, if that's okay with the rest of the Council. I  
19 think we need an hour and a half if we're going to go  
20 anyplace to have lunch unless you're going to eat here.  
21 So, in that case, let's be started at 1:30. How does  
22 that sound?

23

24 MR. ELVSAAS: Sounds good to me.

25

26 (Off record)

27

28 (On record)

29

30 CHAIRMAN LOHSE: I'm calling the Spring  
31 meeting of the Southcentral Regional Subsistence Advisory  
32 Council back into session. At this point in time, I've  
33 had a request from somebody that has to go pick somebody  
34 up at the airport if they could testify, and we like to  
35 make sure everybody gets their chance to testify. So,  
36 Gloria, would you come testify now, so you can go. This  
37 is probably in regard to the caribou proposals, mostly,  
38 or everything?

39

40 MS. STICKWAN: Sixteen, 17 and 19.

41

42 CHAIRMAN LOHSE: Sixteen, 17 and 18?

43

44 MS. STICKWAN: Nineteen.

45

46 CHAIRMAN LOHSE: And 19.

47

48 MS. STICKWAN: I would like to have this  
49 Council, for Proposal 16, consider the documentation that  
50 was written up by Elijah Waters and Taylor Brelsford. We

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1 think that would be a good alternative to ours, but we  
2 still would like to take the same dates -- December 1st  
3 through April 20th.

4

5 CHAIRMAN LOHSE: You like their  
6 proposal.....

7

8 MS. STICKWAN: Yes.

9

10 CHAIRMAN LOHSE: .....but like your  
11 dates?

12

13 MS. STICKWAN: Yes. I was asked to write  
14 that proposal because of the impact of our areas on Unit  
15 13. It's just overcrowding and hard to get caribou  
16 during the Fall season, and even though they say there  
17 is no impact on there, we do feel the impact. I mean,  
18 people at Ahtna have testified for the Board of Game over  
19 and over and over again how many times that they've been  
20 impacted by the urban areas with their ATV's and scaring  
21 moose and caribou away from -- you know. So, it does  
22 impact us.

23

24 Proposal 17 was to close Federal public  
25 lands just for the Federal users. I was asked to write  
26 that, too, because of the impact of our area in Unit 13,  
27 because there's just quite an impact out there during  
28 Fall season for hunting moose and caribou. Even though  
29 there's little Federal lands out there, we still want  
30 that protection of those little Federal lands, because  
31 those are close to the road areas, and most of the Ahtna  
32 people hunt along the road because they don't have ATV's  
33 to go off the road. That's why the proposal was written  
34 to have just rural area hunt.

35

36 CHAIRMAN LOHSE: So, 17 is basically a  
37 proposal for non-qualified subsistence users?

38

39 MS. STICKWAN: Yes. And Proposal 19 was  
40 by -- I think it was Chistochina and Mentasta, and we  
41 support that. CRNA also put in a proposal, too, for  
42 moose for a cultural camp that has to do with -- it's  
43 kind of like an alcohol related cultural camp -- and we  
44 had to write one 60 days before we could go out and, you  
45 know, get our moose. It was for moose. We think that if  
46 -- you know, if the BLM and Wrangell-St. Elias could  
47 distribute the permit, it would just make it so much  
48 easier for us. People like to, you know -- I guess  
49 having 60 days ahead of writing it is kind of like -- I  
50 don't know. It's too long for us. We'd like to just be

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1 able give a week's notice, maybe, of writing a letter to  
2 BLM or Wrangell-St. Elias and be able to get a permit for  
3 a moose for culture camp.

4

5 I wrote one last year for CRNA and it was  
6 rejected, but we support this proposal. That's all.

7

8 CHAIRMAN LOHSE: Are there any questions  
9 for Gloria? Mr. Churchill.

10

11 MR. CHURCHILL: Yeah. And, again, thank  
12 you for coming and testifying. I'm curious. Obviously,  
13 you know, from reading your proposals overcrowding is a  
14 concern. Could you talk to your concern about the  
15 populations, both moose and caribou, in terms of their  
16 health and abundance in your hunting areas?

17

18 MS. STICKWAN: Well, I know they're both  
19 on the decline. The permits for the State has gone down  
20 to do those, for caribou, and I think it's -- I'm not  
21 sure -- 600 for moose. But they are going down.

22

23 CHAIRMAN LOHSE: Mr. Churchill.

24

25 MR. CHURCHILL: Yeah. As a follow up --  
26 and certainly everything I've heard and seen supports  
27 that as well -- what do you think is causing that  
28 dramatic downturn in game abundance?

29

30 MS. STICKWAN: I don't really know, other  
31 than they say it could be overeating. But, it could be  
32 the impact of noise, you know, having an impact on the  
33 caribou and moose just to be able to, you know -- I do  
34 believe that noise from the snow machines do have an  
35 impact among the caribou and their migration routes and  
36 whatever. I mean, I really believe that it does. And,  
37 like Fish and Game says, they may be overgrazing their  
38 food. Plus, you know, it's just a natural thing that  
39 they decline and go up again.

40

41 I think it is severe winters, too.  
42 There's a lot of bears in the area. Wolves. That's  
43 something that Federal don't support, though, is predator  
44 control, I guess.

45

46 MR. CHURCHILL: Thank you very much. I  
47 appreciate it.

48

49 CHAIRMAN LOHSE: So, basically, all of  
50 the concerns -- the range, the predators, the ATV impacts

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1 -- all of those you kind of feel have an effect on the  
2 moose and the caribou?

3

4 MS. STICKWAN: Uh-huh. (Affirmative)  
5 And the noise and that.

6

7 CHAIRMAN LOHSE: Yeah.

8

9 MS. STICKWAN: Just the snow machines and  
10 the ATV's and just the people. I think it does have an  
11 impact on them.

12

13 CHAIRMAN LOHSE: There's been a large  
14 increase in snow machines in the wintertime up there,  
15 hasn't there?

16

17 MS. STICKWAN: Yeah, there is. And they  
18 say it doesn't have any impact on the animals, but I  
19 believe it does. I mean, they say that there's a lot of  
20 animals here in Anchorage, like bears and stuff. But, I  
21 think it's because they get accustomed to that, you know,  
22 here in Anchorage; whereas, out there, they're not  
23 accustomed. But, it does have an impact on them because  
24 -- I don't know. I just believe it does.

25

26 CHAIRMAN LOHSE: Yeah. Maybe the noise  
27 factor in Anchorage is compensated by the fact that the  
28 noise keeps the predators away. So then, if you combine  
29 noise and predators like you do in Unit 13, it has an  
30 impact. If you chase all the predators away like you do  
31 in Anchorage, well then it doesn't have an impact, you  
32 know? I mean, you can't have both. So, thank you. Any  
33 other questions for Gloria?

34

35 MR. CHURCHILL: Just a thought. You  
36 know, you bring an interesting question that I know I've  
37 been curious about, is what's the impact of -- and I  
38 assume it's mostly recreational snow machining -- on herd  
39 productivity with caribou. Do you have any ideas, other  
40 than what you put in, that would specifically address  
41 that, that might help us to make some recommendations? I  
42 mean, I share your concerns about disturbing the herds  
43 during the wintertime, where they need all the nutrition  
44 they can have. Any other thoughts, Gloria?

45

46 MS. STICKWAN: I don't know really how to  
47 address it, other than maybe they should be able to have  
48 designated trails and forests, to stay on those areas and  
49 not go where they migrate or where they, you know -- I  
50 don't know, something like that. But, that would be hard

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1 to enforce, too.

2

3 CHAIRMAN LOHSE: Just a question, Gloria.  
4 That's an idea that's come up before, but what I'm  
5 wondering is at the same time that, you know, we feel the  
6 need to restrict, you know, unlimited, just recreational  
7 noise or impact on the animals, at the same time we want  
8 to allow the equipment to be used for subsistence hunting  
9 and it's hard to say you stay on the trail and we can go  
10 off the trail. And that would be an awful hard thing to  
11 enforce, but it wouldn't be an impossible thing to  
12 enforce because you'd have to say that to be off the  
13 trail you just would have to be in possession of a  
14 subsistence hunting permit. And so, I mean, the  
15 regulation could be written that way. It would still be  
16 a real extremely hard thing to enforce.

17

18 MS. STICKWAN: Or, you could just have  
19 designated times between recreational and hunters or.....

20

21 CHAIRMAN LOHSE: Yeah.

22

23 MS. STICKWAN: When the caribou are in  
24 the area, you can't have ATV's or recreational snow  
25 machining during the winter.

26

27 CHAIRMAN LOHSE: I'm sure those are  
28 things that are going to be considered in the future.

29

30 MS. STICKWAN: I think they're going to  
31 have a meeting here next month.....

32

33 CHAIRMAN LOHSE: In the month of.....

34

35 MS. STICKWAN: .....ORV.

36

37 CHAIRMAN LOHSE: Yeah. Thank you. Any  
38 other questions for Gloria? Thank you, Gloria. Okay.  
39 With that, we're going to go on to Proposal 16. Donna is  
40 going to do the introduction on this one here.

41

42 MS. DEWHURST: Proposal 16 was submitted  
43 by the Copper River Native Association, whom Gloria  
44 represents. It basically has two aspects. One is to go  
45 from the current regulation of two bulls, which was just  
46 created by the Federal Subsistence Board this past  
47 Spring, to go back to two caribou; and the other aspect  
48 is to change the second season from October 21 through  
49 March 31, which is the present, to that December 1  
50 through April 20th. So, those are the two aspects of

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1 this proposal. One is a date change, and one is a bag  
2 limit change, basically.

3

4 If you turn to page 25, I'm going to go  
5 through this fairly quickly, because a lot of this is old  
6 hat for everybody. On the map on page 25, it does give a  
7 nice illustration of the range of the Nelchina caribou  
8 and the extent of Federal lands that we'll be talking  
9 about in both Proposal 16 and Proposal 17. Primarily, we  
10 talking about those strips of BLM land around Paxson on  
11 the map, on the figure -- so, just keeping this as a  
12 frame of reference.

13

14 As mentioned, the Nelchina caribou has  
15 had a long history of cycling. It's gone up, and it's  
16 gone down -- and not uncommon for caribou in a lot of  
17 areas in parts of the state. The State's management  
18 objective is 35,000 to 40,000 animals. Presently, the  
19 count is at 33,700. So, we're shy basically a couple  
20 thousand animals. We're getting close to the minimum of  
21 the State's harvest objective. Recently, the main  
22 reasons that are thought to be keeping them back are poor  
23 summer forage conditions and calf mortality, probably  
24 mostly likely by predators. So those are the two things  
25 that are thought to be preventing the herd from going up  
26 faster at this point.

27

28 The calf recruitment has been low in  
29 several years. Last year, we saw a little bit of an  
30 improvement at 40 calves per 100 cows, which is a good  
31 sign. It shows that things are improving, and hopefully  
32 we will continue to see the improvement. But, the one  
33 thing I've learned working with caribou over a number of  
34 years is don't count on anything. They can go up, and  
35 they can go down. So, the indications are they're going  
36 up. But, until we do the next survey we never know for  
37 sure.

38

39 The bull/cow ratio is still below the  
40 objectives of 40. It's at 37. But there, again, it's  
41 getting close. One thing that was interesting at a radio  
42 telemetry study in the past couple of years was that we  
43 are seeing a higher than normal mortality rate, even of  
44 the adults. So there, again, predators could be a  
45 factor. So, we're basically looking at a herd that's  
46 impacted probably by three things: probably by habitat,  
47 in some respects; by predators, in some respects; and  
48 then by our calf survival. And calf survival is a  
49 product of both the predators and the condition of the  
50 calves. Depending on how healthy mom was will depend on



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1 how healthy that little guy comes out and how it's able  
2 to deal with winter conditions and predators chasing it.  
3 So, those are the factors.

4

5 Now, when we start looking at the  
6 proposal, if you look at Table 1 on page 27 one of the  
7 things that's interesting is when we look at this we have  
8 two components. We're dealing with a joint harvest. The  
9 lion's share of the harvest in the past has been by the  
10 State. And you look at the State harvest, which is  
11 really reflected by that middle column of total harvest,  
12 and it has gone down considerably in the past decade.  
13 Where, if you look at the Federal harvest, over that same  
14 time period it's been remarkably consistent. We're  
15 looking at somewhere from 200 to, at the peak, a little  
16 bit over 400 animals taken. It's been surprisingly  
17 consistent. The thing that's interesting there and just  
18 possibly might be noteworthy is that even though the  
19 numbers are consistent, if you look at the numbers in  
20 parentheses -- meaning, what piece of the pie Federal  
21 subsistence has gotten -- our piece of the pie has  
22 consistently grown, showing that the local folks are  
23 getting priority and that as of last year the Federal  
24 subsistence accounted for approximately 26 percent of the  
25 harvest. Where, you look a decade ago, we accounted for  
26 six percent of the harvest. So, they are getting  
27 priority under the current system with the joint Federal  
28 and State, and the State is under Tier II which is also  
29 considered to be a subsistence hunt.

30

31 Now, dealing with the two aspects of the  
32 proposal, the first aspect I would like to really talk  
33 about is the dates. The dates that Gloria mentioned --  
34 to go to a December 1 through April 20th -- we're  
35 opposing that, and I think the best way to explain why  
36 staff is opposing that is to look on Table 2 on page 28.  
37 When I created this table, I was trying to tease out the  
38 various segments of the harvest. And if you look at the  
39 animals harvested during October and November you see it  
40 actually accounts for a third of the harvest. In the  
41 justification by Gloria, the proponent, was that people  
42 don't hunt during those time periods. But, when you just  
43 look at the numbers, it shows that there have been people  
44 hunting during October and November. And so, I had a big  
45 concern with cutting those folks out, in that I -- you  
46 know, we haven't gotten a lot of public input, you know,  
47 screaming about it. But, the concern by our office was  
48 there was no justification to cut those folks out of the  
49 pie and to say they couldn't hunt in October and  
50 November, and the numbers show there are a lot of people

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1 who do hunt during that time period. So there was no  
2 reason to tell them they couldn't. It just didn't seem  
3 justified, and that was one concern. So, it was very  
4 hard to support moving the hunt to December 1, because we  
5 would actually be restricting subsistence users.

6  
7 Another factor there is that the State  
8 hunt starts at basically the same date in October, and in  
9 some respects we are kind of dealing with a quota system.  
10 It hasn't come to bite us yet, but we've gotten extremely  
11 close on a number of years, in that our office and ADF&G  
12 work very closely every winter looking at the harvest and  
13 trying to decide whether or not we need to close the hunt  
14 down based on the harvest guidelines. Like, for example,  
15 this year the guidelines were 1,000 bulls, and that's  
16 what the harvest guidelines were. Well, as of December,  
17 the State was around 800-plus animals, and they shut  
18 down. They did an emergency order and they shut down.  
19 Then the burden came on my shoulders and our office.  
20 Well, are you going to shut down? Are the Feds going to  
21 shut down? We looked at the harvest at that time, and we  
22 felt based on historical harvest that with the 800 taken  
23 under the State system and our harvest usually averaging  
24 200 to 400, we were probably safe and so we made the  
25 decision to stay open. And we've revisited that every  
26 month. We revisited it in January. We revisited in  
27 February. And we just revisited it again and made the  
28 decision, at this point, to stay open. Now, it is a  
29 little risky. The current numbers -- let's see, the one  
30 hunt has taken reported kill 196 and 119. This is as of  
31 yesterday. So that's 205 [sic] looks like.

32  
33 So that's where we're at right now. But,  
34 that represents only about 25 percent reporting. So we  
35 have another 75 percent of the harvest tags out there  
36 that we don't know what's being taken. We only have 25  
37 reporting, which generally means the people that report  
38 are done. They've either gotten their two caribou, or  
39 they got one caribou and they decided they didn't want to  
40 get another caribou. Whatever the case may be, they've  
41 already turned their tags in. So, we have 25 percent of  
42 the subsistence hunters that have turned their stuff in.  
43 We have another 75 percent unknown. At this point, we  
44 are keeping the hunt open this year. But, like I say, it  
45 could come back and bite us. We won't know until  
46 probably April or May what our total component will be.

47  
48 The only reason I go into this elaborate  
49 story is explaining that, in some respects, it is a quota  
50 system in that we are looking at numbers of animals every

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1 winter and making that decision on whether or not the  
2 State will stay open, whether or not the Feds will stay  
3 open. And if we did not allow harvesting during October  
4 and November -- if we shut it down and said we're going  
5 to start December 1, but the State allows their folks to  
6 be hunting during October and November --the thing I get  
7 a little concerned about is those guys are going to go  
8 get the animals and then if we end up being in a  
9 situation where we have to shut down I would feel really  
10 awkward to, basically, come December 1, say, oh, well we  
11 can't even open up because the State hunters got the  
12 quota, you know. They got all the animals. And I don't  
13 like that. I would like our folks to have the same shot  
14 as the State sport hunters. So that's why I oppose  
15 starting on December 1. I think we should open the same  
16 time that the sport hunters -- well, they're not sport  
17 hunters, they're Tier II hunters -- are out there. So,  
18 that's the reason why I oppose the December 1 point.

19

20                   As far as the April extension, currently  
21 the season closes at the end of March. The concern about  
22 the April extension is purely conservation of the  
23 resource. The herd starts moving in April. It's moving  
24 back toward the eastern Talkeetna area, where the calving  
25 grounds are, and generally moving through Federal public  
26 lands where those little strips are around Paxson.  
27 Historically, the pregnant cows are usually the ones that  
28 lead the migrating groups. I guess they're the most  
29 highly motivated to get back to the calving grounds, and  
30 so they're moving along first. So they're the first ones  
31 encountered by hunters, and so there was some concern  
32 that people tend to take the first animals they see and  
33 if the first animals they see are pregnant cows they  
34 might be taken.

35

36                   The other concern was just a disturbance  
37 factor, and these animals will start dropping calves in  
38 May. And so, when we start talking about an April  
39 harvest, we are disturbing the animals pretty darn close  
40 to when they're calving. So, there is some risk of  
41 aborting fetuses at that point, when you start doing  
42 disturbance that close to the point where they're going  
43 to drop the calves. So, based on that, we felt it would  
44 be better for the pregnant cows, basically, to keep the  
45 hunt shut down at the end of March and, historically,  
46 March is a good month. You look back at that Table 2 and  
47 you see that a good chunk of the harvest occurs in March.  
48 So, historically, people have been able to get their  
49 animals in March, and we didn't really see any strong  
50 justification to extend it into April. So, that's

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1 dealing with the dates, purely the date issue. So, as  
2 far as the date issue, staff is recommending at this  
3 point to oppose the proposal.

4  
5           The other aspect is going back to two  
6 caribou. Now, on this aspect, you basically will have  
7 three alternatives in front of you. You will have CRNA's  
8 proposal, which is to go to just two any sex caribou.  
9 BLM will be presenting a middle of the road proposal  
10 which will be two caribou, one of which may be a cow.  
11 That's kind of in the middle. And then, the current  
12 staff recommendation, which is to stick with the two  
13 bulls. The staff recommendation is based primarily on  
14 the Federal Subsistence Board decision last Spring. The  
15 Federal Subsistence Board is who decided to go to two  
16 bulls in the Spring, based purely on conservation of the  
17 resource and strongly on the recommendation of ADF&G. It  
18 was felt at that time -- and, purely as a wildlife  
19 biologist -- the most conservative route would be to  
20 stick at this time to two bulls, the with the  
21 understanding and full intent that if we see a continued  
22 increase that will probably get lifted sometime in the  
23 near future. But, at this time, we'd like to see the  
24 cows protected, based on the fact that calf mortality is  
25 a big factor. We want to maximize our calves, is  
26 basically what we're saying. And the way to maximize  
27 your calf production is to maximize the cows. And so, at  
28 this point, we'd like to protect every cow that we can,  
29 and we're recognizing this is probably only going to be  
30 for another year, two at the tops. But, at this point,  
31 conservation of the resource would lean towards a bulls  
32 only harvest, and sticking with the Federal Subsistence  
33 Board determination of last Spring.

34  
35           So, basically, that's why I say you end  
36 up with three alternatives. On one side of the coin,  
37 it's stick with the bulls only. The middle of the road,  
38 which will be presented here shortly, is going to be two  
39 animals, one of which may be a cow. And then, CRNA's  
40 proposal which is basically two, either sex. So that's  
41 what you're going to end up, you know, having in front of  
42 you as far as alternatives and to base it. And the  
43 staff's recommendation, which is on the one extreme end,  
44 is purely based on conservation of the resource. That's  
45 the only reason for that justification. We are not  
46 trying to restrict subsistence users just for the  
47 purposes of restricting subsistence users. We don't have  
48 that intention at all. We realize it will be a burden to  
49 subsistence users to say you have to take two bulls. We  
50 understand that. But, at this point, you could call it

00077

1 the hard-line view, but the conservation view purely as a  
2 wildlife biologist would be to stick with two bulls at  
3 this time. So that concludes the staff analysis.

4

5 CHAIRMAN LOHSE: Thank you. Any  
6 questions for Donna? Bob.

7

8 MR. CHURCHILL: Yeah, if you know it, and  
9 I was really interested. If I was hearing you right,  
10 there's a real reduction in the survival rate of calves  
11 through to the Fall. Is the age of the cows in that herd  
12 increasing dramatically then?

13

14 MS. DEWHURST: That's one I don't know.  
15 I think Brett's -- did Brett come in after lunch? We did  
16 have an ADF&G person here earlier. I don't know. If  
17 Brett's here, he would be one better to answer that one.  
18 I know they have radio collared cows, so they should have  
19 that information.

20

21 MR. CHURCHILL: Okay, because I've read  
22 some studies related to -- somebody did a productivity  
23 study on elk herds, and as the cows got older they became  
24 less productive.

25

26 MS. DEWHURST: That is true. Generally,  
27 that's not the factor so much with caribou. We did a  
28 productivity study on the Alaska peninsula on the caribou  
29 down there, and it seemed like the bigger factor was  
30 nutrition -- the nutrition of the cows both during  
31 conception and then all through development. It's a  
32 delayed implantation thing. And often, if you examine  
33 the cows, you'll see that they'll be a potential of even  
34 up to three little fetuses to develop and depending on  
35 how many actually make it all the way to development  
36 often depends pretty highly on the nutrition of the  
37 female and the health of the female -- health of a cow.  
38 And that is pretty much in the fall because, you know,  
39 they're going to start developing pretty quickly. So, as  
40 far as how many actual ones from the ones that were  
41 fertilized to development seems to be a Fall nutritional  
42 factor of the cows more than anything else.

43

44 MR. CHURCHILL: If I can follow up. Any  
45 numbers on twinning rates?

46

47 MS. DEWHURST: The State may correct me,  
48 but it seems to me what I remember of the data is it's  
49 pretty low, relative to things like Western Arctic Herd,  
50 which has a super high twinning rate.

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1 MR. CHURCHILL: And one more question,  
2 and I don't know this -- about how this herd is hunted in  
3 the Spring. But I know, like at Anaktuvuk Pass,  
4 generally the first 500 or 600 animals are let through  
5 without hunting at all on them, and then they're picking  
6 up the young males that are following the pregnant cows.  
7 Do you have any information or idea or how this herd is  
8 hunted? And I'm also concerned about an April hunt where  
9 you may be killing a cow and a calf or two with one shot.  
10 But any idea how this herd is hunted in the Spring?

11  
12 MS. DEWHURST: That would probably be  
13 better answered by either BLM or ADF&G staff. But my  
14 understanding, since it's primarily on Federal lands  
15 we're dealing with a road hunt, people line up along the  
16 road. And I'm not sure if they're letting animals  
17 through or not. But they are just basically lined up  
18 along the road waiting for animals to cross.

19  
20 MR. CHURCHILL: Through the Chair, I see  
21 Gloria's back. Could she maybe address this?

22  
23 CHAIRMAN LOHSE: Gloria, could we have  
24 you come on up, please?

25  
26 MS. STICKWAN: I didn't hear your  
27 question.

28  
29 MR. CHURCHILL: No problem. What I was  
30 asking is, I know I've traveled in the interior, and up  
31 in Anaktuvuk Pass when the herd migrates they'll let  
32 quite a number of animals go through without hunting  
33 them, letting the pregnant cows go through first and then  
34 hunting the young bulls that come after. And I was  
35 wondering if there may be a similar hunting tradition  
36 there on the herd as they return in the Spring to the  
37 calving grounds? Is that.....

38  
39 MS. STICKWAN: The Ahtna people  
40 customarily and traditionally have never taken any  
41 animals that was -- when it was having young inside of  
42 them. It's just taboo to do that. So, that's why I said  
43 the BLM proposal would help to eliminate that.

44  
45 MR. CHURCHILL: I'm sorry. I guess I  
46 wasn't clear. What I'm talking about though is when the  
47 cows are still pregnant in the Spring and they're  
48 migrating back -- how the herd is hunted at that point?  
49 And I'm aware. I absolutely agree that the cows aren't  
50 hunted when they have calves with them. I'm talking

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1 about the pregnant cows as they return to the calving  
2 ground before they actually calve.

3

4 I'm clear as mud, aren't I? I'm sorry.  
5 The concern we've had expressed is that if the hunt is  
6 extended into April that there may be a take of pregnant  
7 cows that would hurt the resource. And I guess what I'm  
8 wondering is if there's anything specifically done on the  
9 subsistence hunt when the herd is returning to the  
10 calving ground that would address that concern?

11

12 MS. STICKWAN: Just that, you know, I  
13 know that they were just totally against taking any  
14 pregnant animals, and I think the BLM proposal addresses  
15 that. By having the antlerless caribou hunt during that  
16 time would help to eliminate that taking from pregnant  
17 cows.

18

19 MR. CHURCHILL: Thank you very much.

20

21 MS. STICKWAN: How they did it  
22 traditionally -- not to take cows -- I don't know how  
23 they did that, but they knew which ones were pregnant. I  
24 don't know how they did, but they wouldn't take those.

25

26 MS. WELLS: I think you answered my  
27 question. But then, can you address the -- I think it  
28 was the part of her report about the disruption to the  
29 cows? Even though we don't take them -- a cow that is  
30 pregnant -- just the disruption of the hunt causing the  
31 abortion of the calf, spontaneous, because of the  
32 upsetting or they're having to run or whatever. Have you  
33 seen any of that happen in that area?

34

35 MS. STICKWAN: I haven't, unh-unh.

36 (Negative)

37

38 MS. DEWHURST: One thing I can do. I  
39 suspect this discussion is going to go on a little bit.  
40 I have last year's harvest data in front of me, and I can  
41 tally approximately how many cars were taken in March  
42 last year, which might be of use. So, as the discussions  
43 go on, I'll try to do a quick tally.

44

45 CHAIRMAN LOHSE: Gloria.

46

47 MS. STICKWAN: When I speak, I speak for  
48 the Ahtna people. I don't speak for the general public.  
49 I work for the eight villages, and it's my job to  
50 represent them. So when I write this proposal I

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1 represent the Ahtna villages, and these are the dates  
2 that they told me they wanted. They didn't like to hunt  
3 in October and November because of the rutting season.  
4 That's the reason they said to cut that out and extend  
5 the season into part of April, till April 20th. And I  
6 don't know, I just thinking keeping the dates and going  
7 along with BLM's proposal would help to not get the  
8 pregnant cows. And during the months of March and April,  
9 that's when we see the caribou along the road, too, and  
10 that's easier to get.

11

12 CHAIRMAN LOHSE: Any other questions for  
13 Gloria? Maybe you can stay up there, Gloria, because  
14 maybe you'll have to answer some that Donna can't answer.  
15 And I know what Bob was getting at over there when he was  
16 talking about up in Anaktuvuk Pass, but I think what you  
17 have to realize is that Anaktuvuk Pass is an isolated  
18 area. This area is one of the easiest road accessed  
19 areas in the State. And so, even if the traditional  
20 practice would be let the first of the caribou go through  
21 to allow the more pregnant cows to go through it wouldn't  
22 apply here, because not all of the people who take part  
23 in that hunt have the same traditional background. And  
24 yet, they are subsistence users. They are rural  
25 residents of the area, and they may or may not have the  
26 traditional practice of avoiding the pregnant cows or  
27 allowing the first caribou to come through.

28

29 I guess in a way I was thinking of what  
30 Donna said about the impact of hunting in April on  
31 pregnant cows. I guess I'd have to go along with Gloria  
32 on that. I can't imagine an animal that has survived  
33 this long that's under constant predation and has to be  
34 able to run when its pregnant and everything else being  
35 impacted because somebody takes another caribou alongside  
36 of him, or something like that. I mean, these animals  
37 have lived and developed with the idea that they're under  
38 constant pressure from the time they're born until the  
39 time they die from natural predation. And so a pregnant  
40 cow has got to be able to either escape or fight back  
41 just like a regular cow. And so, the additional hunting  
42 would have a harvest impact, but I doubt if the fact that  
43 there was somebody else taking another caribou around  
44 them -- my personal feeling would be that it's not going  
45 to cause spontaneous abortion of the caribou that are  
46 around them. Otherwise, they would never have survived  
47 this long.

48

49 I have a question, and I think Gloria can  
50 probably answer this for me better than Donna. In March,



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1 which animal is in better shape? The cow or the bull?

2

3 MS. STICKWAN: Which animal?

4

5 CHAIRMAN LOHSE: Yeah. I mean, from a  
6 food standpoint in the month of March which animal is in  
7 better shape to be taken for food in March? The cow or  
8 the bull?

9

10 MS. STICKWAN: I don't know. Probably  
11 the bull.

12

13 CHAIRMAN LOHSE: Probably the bull. So  
14 the people would have a tendency to target bulls.....

15

16 MS. STICKWAN: Uh-huh. (Affirmative)

17

18 CHAIRMAN LOHSE: .....if they could.  
19 Because where the cow is going downhill over the course  
20 of the winter the bull is going up. I mean, he's in his  
21 lowest shape in October and November, and from October,  
22 November on he actually gets fatter, healthier and  
23 everything else. He's better able to, you know, dig in  
24 the deep snow and take care of the winter than the cow  
25 is, isn't he?

26

27 MS. STICKWAN: (Inaudible reply)

28

29 CHAIRMAN LOHSE: So, I would think the  
30 tendency would be to target bulls. But the idea was --  
31 and I think that was part of Elijah's idea -- is that  
32 even if you're targeting bulls and you're taking  
33 antlerless animals, there's always the possibility that  
34 you'll take a cow. And so, rather than make somebody  
35 into an outlaw, make somebody illegal, you try to find a  
36 way to fit that in. So, recognizing that people are  
37 going to target bulls, which are antlerless animals at  
38 that time of the year, but recognizing that some cows  
39 will be antlerless but those will probably be non-  
40 pregnant cows -- rather than making the person into doing  
41 an illegal act because they took an antlerless animal and  
42 it turned out to be a cow would be to allow antlerless  
43 animals to be taken instead of saying bulls. And I think  
44 Elijah can address that, when the time comes. But, am I  
45 kind of correct in that, Gloria?

46

47 MS. STICKWAN: Yeah. Enforcement issues  
48 would be helped out a lot by doing that, too, I think.

49

50 CHAIRMAN LOHSE: Yeah. But, technically

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1 speaking, from what I know from other people, most people  
2 wouldn't purposefully target a cow.....

3

4 MS. STICKWAN: No.

5

6 CHAIRMAN LOHSE: .....in Spring. They'd  
7 target a bull, because the bull is the better piece of  
8 meat.

9

10 MS. STICKWAN: They would go for the  
11 bulls, if they saw bulls. But then, they would take  
12 anything if they.....

13

14 CHAIRMAN LOHSE: That's right. Well, the  
15 other question that was brought up or was a question that  
16 Bob brought up is how do they hunt in Spring? And, in  
17 Spring, is it a tendency to be a lot like the early Fall  
18 hunt where everybody's lined up alongside the road  
19 waiting for animals to cross? The few times I've been up  
20 there in Spring I haven't seen anybody, or I've only seen  
21 one or two other people. So, it wasn't like there was a  
22 line of hunters lined up on the road taking the caribou  
23 as they cross the road. You know, it was a sporadic  
24 group of hunters up there, and a lot of them were hunting  
25 offroad. Fred.

26

27 MR. JOHN: I agree with you. No, in the  
28 springtime I hardly ever see any hunter. Mostly just,  
29 you know, end of the Fall season. But, in the springtime  
30 I don't hardly see any hunters there -- one or two  
31 sometime.

32

33 CHAIRMAN LOHSE: Donna.

34

35 MS. DEWHURST: I have the numbers for you  
36 now. All I have is last year's data. But, of last  
37 year's harvest during March, about 45 percent were cows.  
38 So, that's a little bit less than half.

39

40 CHAIRMAN LOHSE: Uh-huh. (Affirmative)  
41 Any other questions for Gloria? Fred.

42

43 MR. ELVSAAS: Well, no, I was thinking of  
44 Donna. Earlier I think, if I heard you right, you said  
45 that probably next year a cow hunt would be in order if  
46 they herd rebuilds sufficiently? Is that right?

47

48 MS. DEWHURST: We're pretty close to the  
49 State's management objectives of 35,000 animals. So, if  
50 the current trend continues and they continue to go up,

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1 chances are, yes, that things would relax a little bit,  
2 and probably everybody across the board would support a  
3 more liberal harvest. We're close. But like I said, you  
4 know, you can't count on anything till it happens.  
5 That's the indications. But until we actually get a  
6 harvest, I'm not going to say a hundred percent that's  
7 how it's going to go.

8

9 MR. ELVSAAS: But the herd is rebuilding  
10 some?

11

12 MS. DEWHURST: The last two years have  
13 shown improvement in the herd.....

14

15 MR. ELVSAAS: Good.

16

17 MS. DEWHURST: .....both in the number of  
18 calves and just numbers overall. So the indications are,  
19 if you would plot it on a graph, that it is slowly going  
20 up.

21

22 MR. ELVSAAS: Mr. Chairman, while you  
23 were talking you mentioned about the disturbance of the  
24 cows. Were you talking as if you were hunting bulls at  
25 that time, or were you talking about hunting cows and  
26 bulls?

27

28 CHAIRMAN LOHSE: Well, Fred, the question  
29 came up was whether the April hunt would be a danger to  
30 pregnant cows and cause natural abortion.....

31

32 MR. ELVSAAS: Uh-huh. (Affirmative)

33

34 CHAIRMAN LOHSE: .....or spontaneous  
35 abortion. And, at that time, you've got mixed herds.  
36 And my comment was that, you know, for the amount of  
37 hunting pressure that I see in March and I would doubt if  
38 there would be much more in April. Last year, there was  
39 21 caribou taken in March, 10 of which probably were  
40 cows, if you come up with 45 percent -- somewhere in that  
41 neighborhood. For that amount of hunting pressure, I  
42 think the caribou cows that are pregnant got ran more  
43 often by wolves than they did by hunters.

44

45 MR. ELVSAAS: Uh-huh. (Affirmative)

46

47 CHAIRMAN LOHSE: And I have a sneaking  
48 suspicion that an animal that lives under that kind of  
49 predation, that kind of an impact on it's not going to  
50 cause -- that's my personal feeling -- that that amount

00084

1 of impact is not going to cause spontaneous abortion of  
2 very many pregnant caribou. Like anything else, if  
3 they've had a hard winter.....

4

5 MR. ELVSAAS: Right. Yes.

6

7 CHAIRMAN LOHSE: .....and you have a lot  
8 of snow machines running around there -- but there's  
9 going to be a lot more snow machines running around there  
10 ptarmigan hunting and playing that there is snow machines  
11 running around there trying to get a caribou. And, to  
12 me, that could have a lot bigger impact on the health of  
13 a pregnant cow late in the season than the fact that  
14 somebody show a bull caribou or another caribou right  
15 alongside of them. In fact, from what I've seen, if you  
16 shoot one right alongside of them they're liable to stand  
17 there and look and wonder, well, what happened?

18

19 MR. ELVSAAS: Uh-huh. (Affirmative)

20 Yeah.

21

22 CHAIRMAN LOHSE: I mean, it's not like  
23 they go into immediate panic and run clean out of the  
24 country, you know.

25

26 MS. DEWHURST: If I can clarify that,  
27 too. The studies that have shown cases where cows have  
28 dropped calves prematurely were cases where nutrition was  
29 a major factor.

30

31 CHAIRMAN LOHSE: Right.

32

33 MS. DEWHURST: So, those cows were in bad  
34 shape in the first place, and then it just -- assume that  
35 some sort of.....

36

37 CHAIRMAN LOHSE: Trauma.

38

39 MS. DEWHURST: Yeah, trauma, put them  
40 over the edge.

41

42 CHAIRMAN LOHSE: Yeah. So well,  
43 basically, what I see from what you just said if things  
44 would go along the way it has been going on -- and that  
45 one, in 2000/2001, where we took the 21, at that time it  
46 was any caribou. So, they could even shoot a cow with  
47 horns, and they took 10 cows. If only caribous that  
48 didn't have horns were allowed, and they shot -- you  
49 know, the percentage wouldn't be 45 percent, because 45  
50 percent of the caribou that were taken wouldn't have been

00085

1 non-pregnant females without horns. So, you'd have a lot  
2 higher ratio of bulls to cows. So, let's just throw a  
3 number out, and say you'd get half as many cows as you  
4 did before, although I think you'd get less. But, if you  
5 got half as many cows as you did the year before, you  
6 have an impact of five cows for the months of March, you  
7 know.

8

9 MS. DEWHURST: That's correct, based on  
10 last year's numbers.

11

12 CHAIRMAN LOHSE: Yeah.

13

14 MS. DEWHURST: And then, if you look at  
15 worst case scenario in the past five years, it would have  
16 been the year before that where we were talking close to  
17 a 100 animals harvested during March.

18

19 CHAIRMAN LOHSE: Uh-huh. (Affirmative)

20

21 MS. DEWHURST: So, a factor of five times  
22 more would be worse case scenario.

23

24 CHAIRMAN LOHSE: Yeah. So, we're talking  
25 a fairly minimal amount of animals underneath the  
26 antlerless -- minimum amount of cows underneath the  
27 antlerless one. Probably Elijah is going to answer this  
28 question when he comes up here, but what would the  
29 percentage of antlerless cows to antlerless animals in a  
30 herd?

31

32 MS. DEWHURST: Very small. You do have  
33 some cows that will drop, but it's a very small  
34 percentage. I've heard a couple of people in the break  
35 talk about this, and there seems to be a misconception  
36 that barren cows will drop their antlers, and there's no  
37 evidence of that. So, you can't base whether or not the  
38 cow is barren or pregnant.....

39

40 CHAIRMAN LOHSE: Okay.

41

42 MS. DEWHURST: .....based on whether or  
43 not they have antlers. There's no evidence of that at  
44 all. So, that's a misconception I think a lot of people  
45 have.

46

47 CHAIRMAN LOHSE: I had that.

48

49 MS. DEWHURST: Yeah. It's not something  
50 you can use. Generally, I think it's the younger cows

00086

1 that actually will drop antlers, potentially, but most  
2 cows will keep them.

3

4 CHAIRMAN LOHSE: Are we talking 10  
5 percent of the antlerless animals would be cows?

6

7 MS. DEWHURST: I don't know if there's  
8 any real strong studies to say definitively what  
9 percentage. I'm not aware of reading anything that  
10 definitively gives that range, but that's probably about  
11 right.

12

13 CHAIRMAN LOHSE: Yeah, because, see, that  
14 even puts it lower than what we were talking about  
15 before. Thank you. Anybody else have questions for  
16 Donna? Gloria? Okay. With that, we'll go on to Alaska  
17 Fish and Game comments.

18

19 MR. HAYNES: Thank you, Mr. Chairman.  
20 I'll comment briefly on the proposal, and if you have  
21 management and biological questions I'll defer to Steve  
22 Machida, who's the management coordinator for the  
23 department, and Brad Scotton, who's the assistant area  
24 biologist in Glennallen. They'll be better able than me  
25 to answer some of the kinds of questions that have been  
26 raised. But the department's comments on this proposal  
27 appear on page 30 of your notebook.

28

29 The department does not support this  
30 proposal for the reasons that Donna gave in her  
31 presentation. There are a number of ways, in theory,  
32 that you can cause the Nelchina caribou population to  
33 grow. One way you can cause that population to grow, in  
34 practice, is to not shoot cows, and it's a tool that's  
35 available to us. It's a tool that was put into effect  
36 last year, and until the population reaches at least the  
37 lower population objective, the department strongly  
38 opposes reinstituting a cow season. We're very close,  
39 and hopefully in another year or two at the most we'll be  
40 in a position to look at authorizing the harvest of cows,  
41 but to do so now would be premature. You just couldn't  
42 support it in terms of conservation interests of the  
43 herd.

44

45 So, if you have questions, I'll try to  
46 answer them, or Steve or Brad will be able to provide  
47 further information to you. We'll also comment  
48 separately on the BLM proposal once you have that before  
49 you.

50

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1 CHAIRMAN LOHSE: Okay. So you have  
2 comments directly on that one there?

3  
4 MR. HAYNES: Yes, we do.

5  
6 CHAIRMAN LOHSE: Yeah, because that was  
7 one of the questions I was going to ask you, Terry, and I  
8 was looking at it from the standpoint of enforcement.  
9 For the percentage of cows that are mixed with bulls in  
10 an antlerless season, would the gains in lack of  
11 enforcement problems be worth the small risk of taking a  
12 few cows by taking antlerless animals?

13  
14 MR. HAYNES: Well, I'll let other people  
15 speak to that when we get to that proposal, but a certain  
16 amount of enforcement difficulty is going to exist  
17 regardless of what the allowable harvest is, just given  
18 the lay of the land out there. And I don't believe what  
19 the BLM is proposing is going to be a panacea to the  
20 enforcement problems. It may address one issue, but it  
21 may create other problems. So, there's not a simple way  
22 to address the enforcement difficulties that have  
23 occurred, given the small amount of Federal lands and the  
24 way they're situation in Unit 13.

25  
26 CHAIRMAN LOHSE: One other question,  
27 Terry. Do you think that we would be better off at this  
28 point in time to have our presentation by the BLM so we  
29 have that on the table? What I would like to do and what  
30 I'm planning on doing is I'm going to call your other  
31 ADF&G biologists and just ask them to comment on anything  
32 that they -- or any red flags they saw raised by the  
33 discussion that we've had to this point in time, any  
34 answers they see that we've gotten that possibly were  
35 wrong, or any questions they see needed clarified. So,  
36 with that in mind, would we be better off to get the BLM  
37 proposal on the table or, you know, in our discussion  
38 first and then go ahead and do that?

39  
40 MR. HAYNES: Mr. Chairman, however you  
41 want to proceed. But it would probably make sense to  
42 have all of the options on the table that you're going to  
43 consider and that way staff can attempt to address your  
44 questions as best as possible.

45  
46 CHAIRMAN LOHSE: Donna.

47  
48 MS. DEWHURST: Yeah, I agree. Obviously,  
49 a lot of you are familiar with it, but I'm sure there's  
50 probably some folks in the audience that don't know what

00088

1 we're talking about. So it would probably be good to  
2 just get it up -- all three alternates up.

3

4 CHAIRMAN LOHSE: Okay. So, we've had two  
5 alternates so far -- the alternate of the extended time  
6 and the alternate of any caribou, as opposed to the  
7 alternative of bulls only. So, if that's okay with the  
8 rest of the Council, I'm going to call Elijah up to  
9 present what the BLM is thinking on it. And, that way,  
10 we'll have everything on the table and then maybe we can  
11 ask questions that apply to all of them at the same time.

12

13 MR. BRELSFORD: Good afternoon, Mr.  
14 Chair, Council members. Mr. Chairman, with your  
15 permission, I'd like to introduce this following  
16 discussion and particularly for the new members to  
17 acknowledge that we've been struggling with some special  
18 circumstances in the Glennallen field office this Fall  
19 and Winter. Elijah, our wildlife biologist, was called  
20 up by the National Guard and was not available to  
21 participate in the drafting of the staff analysis.  
22 Normally, we would all within the Federal community work  
23 together to come up with a staff analysis that reflected  
24 all of the considerations. It would be a single, unified  
25 staff analysis.

26

27 In this case, Donna did her part. She  
28 polled the BLM staff for input and for concerns. We were  
29 not able to respond timely to that and, as a consequence,  
30 we found ourselves at a pretty late date trying to  
31 capture some ideas and look for a bit of an alternative  
32 between no change and a dramatic change -- that is, any  
33 caribou bag limit. That's the spirit in which we put  
34 this on the table for some discussion. I apologize for  
35 the procedural irregularity of this. It was a special  
36 circumstance. The disruptions of September 11th spilled  
37 out even to the field office in Glennallen. So, with  
38 that, Elijah has worked with you for several years on  
39 Nelchina caribou management and has heard some of the  
40 concerns and given some close thought to perhaps a finer  
41 grain alternative on the management bag limit. And, with  
42 that, I'll pass the mike to Elijah and ask that Kerry be  
43 sure and distribute -- we do have some additional copies  
44 of the brief write-up. It's about five pages long, and  
45 we want to make sure that folks in the room have access  
46 to the written version. So, Kerry will hand those out to  
47 others, and we'll proceed with a briefing. Thank you.

48

49 MR. WATERS: With that said, maybe you'll  
50 excuse me if I start barking out orders and sound a



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1 little gruff. Basically, where the BLM's coming from  
2 with this proposal, there's a couple of things. First of  
3 all, as you notice from the map, there's very limited  
4 Federal land in that area. If you want to hunt those  
5 animals throughout the season, you have to have the toys  
6 -- either four-wheelers, boats, snow machines, airplanes,  
7 whatever the case may be. Now, everybody doesn't have  
8 all of those toys. So, if you are limited to highway  
9 access, then essentially if you're going to depend on  
10 that animal for food you need to get that animal when it  
11 comes through. And those highway accessible areas are  
12 timbered areas where, in a lot of cases, you have 10  
13 seconds from seeing the animal to shooting, and in a lot  
14 of cases that's not enough time to identify that  
15 positively as a bull.

16

17                   Now, back in September, I was up there  
18 quite a bit and observed a lot of hunting behavior.  
19 Partly because we had a full-time enforcement ranger  
20 there and maybe because it was bull only, but there was  
21 quite a few violations this year. A lot of waste. A  
22 lot of dead cows that were left in the field. A lot of  
23 hunters who would try to get those cows out -- you know,  
24 doing the right thing -- and they were getting tickets.  
25 And my concern is that these subsistence users are not  
26 bad guys. They may have inadvertently shot a cow. They  
27 may have intended on turning themselves in, or maybe not.  
28 I don't know. Maybe they got spooked by the presence of  
29 a cop. But, you know, I think that we have to make some  
30 kind of allowance rather than make these people  
31 criminals.

32

33                   So, with that said, what we're proposing  
34 is during this early season, when a significant amount of  
35 effort takes place -- when a lot of the State hunters are  
36 there and the Federal hunters are limited to small blocks  
37 of land, they tend to really migrate to areas -- the  
38 Tangle Lakes region, the Tenmile region -- where they can  
39 see -- where they can observe these animals at quite a  
40 distance, pick out a bull and go to that place. And the  
41 effect of that is you have a lot of subsistence hunters  
42 -- a lot of Federal hunters in a very small block of  
43 land. That tends to run the animals out. It tends to  
44 encourage people, maybe, to want to shoot, you know, 10  
45 feet over the line, 100 yards over the line -- you know,  
46 a mile over the line in some cases. The situation, as it  
47 stands, it encourages people who are normal, law-abiding  
48 citizens to do things that they might not do otherwise.

49

50                   So the intent of this proposal is to

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1 allow for some cows to be taken early in the season when  
2 it's a little more difficult, if you're hunting in the  
3 timbered areas, to take those cows. Maybe to try to get  
4 a bull. But, if you don't, if you inadvertently shoot a  
5 cow then there's an allowance for that. And then, as the  
6 season progresses and the bulls start dropping their  
7 antlers, it becomes easier to identify them. In most  
8 cases, those bulls move out of there very rapidly. But,  
9 as the season goes along, then allow for antlerless only,  
10 realizing that there will be some cows taken with  
11 antlerless only but, again, encouraging people to take  
12 those bulls.

13

14 And these dates that you see before you --  
15 October 21st. You know, those were just dates that were  
16 thrown out. As Taylor said, I was gone. I've been gone  
17 since October 1st, and this is just kind of generated  
18 from about an hour of discussion that Taylor and I had.  
19 But this date of October 21st, that's certainly  
20 debatable. Typically, I start seeing some animals  
21 dropping their antlers -- I've found fresh sheds as early  
22 as November 1st. But, you know, I'll be the first to  
23 point out that you also see a lot of antlered bulls, you  
24 know, into December as well. So, that November time  
25 frame, there's definitely going to be some antlerless  
26 bulls, and there's going to be some antlered bulls as  
27 well. You know, but, again, the intent is to make it  
28 easy for enforcement and each for the subsistence hunters  
29 to identify what they're shooting. And, if there is an  
30 accident -- if somebody does kill a cow -- you know, the  
31 intent is for them not to lose their privileges. With  
32 that, I will answer any questions you have. Just for the  
33 audience, in case you don't have a copy, the BLM proposal  
34 is for August 10th through September 30th, for it to be  
35 one bull or one cow -- only one cow -- and then from  
36 October 31st through March 31st for it to be antlerless  
37 only.

38

39 MR. DEMENTI: Elijah, would it make a  
40 difference if you change the dates from December 1st to  
41 April 20th on your alternate?

42

43 MR. WATERS: Initially, when this  
44 proposal came up -- which I think is the original  
45 proposal -- was from December 1st through April 20th. I  
46 don't have strong feelings on that one way or another, to  
47 be honest. I think the staff analysis here makes it real  
48 clear that there's been peaks of harvest. You know, if  
49 you look at the history, every month at some year or  
50 another has been the peak harvest month, and that's based

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1 on the migration of the animals. You know, people get  
2 them when they're there. Typically, that early in the  
3 season, there tends to be a lot of animals taken then  
4 because they're highway accessible. The only thing you  
5 need to get them then is a car, or not even that if you  
6 live in Paxson. You know, and then as it goes later in  
7 the year -- sometimes, you know, like December and  
8 January, and a lot of years there's not any animals  
9 there. So those, you know, a lot of times are extremely  
10 low months -- just there's no animals. So I just don't  
11 have real strong feelings on that one, one way or the  
12 other.

13

14 MR. DEMENTI: Okay. The reason why I ask  
15 is sometimes caribou ruts in October and, if somebody  
16 shoots them, I don't know how they're going to eat it.  
17 It's pretty strong.

18

19 MR. WATERS: Good point. I'll leave that  
20 to the State. I think they've done a lot of palatability  
21 studies, if I'm not mistaken, on when they become edible  
22 again. But, yeah, I think we could certainly live with a  
23 December 1 opening. I think the concern, too, that  
24 sometimes BLM might have is that, you know, the State  
25 season would probably still open during that time -- you  
26 know, earlier than the winter season for the Federal.  
27 And, you know, just speaking as a local resident, I'm  
28 sure there would be some grumblings about, you know,  
29 State hunters are up there hunting them but the Federal  
30 hunters can't.

31

32 CHAIRMAN LOHSE: Robert.

33

34 MR. CHURCHILL: Yeah, a couple of things.  
35 Do you have any rough numbers on the number of violations  
36 for somebody taking a cow?

37

38 MR. WATERS: Gosh, if I was working in my  
39 office, I could give you exact numbers. This last year,  
40 out of about five enforcement days that I worked with the  
41 Federal ranger -- and, of course, he was working with a  
42 State Fish and Game cop as well -- we probably saw 15  
43 violations, and maybe I'd say three or four of those were  
44 cow kills. Now, like I say, those are days that I worked  
45 with them. I'm not sure what the rest of it was. And  
46 then, also, you know we did notice several cows that had  
47 been killed that had been left.....

48

49 MR. CHURCHILL: So, okay.....

50

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1 MR. WATERS: .....that, you know, there's  
2 no violation.

3  
4 MR. CHURCHILL: That was my next  
5 question.

6  
7 MR. WATERS: Well, of course, there's a  
8 violation. There's no citation.

9  
10 MR. CHURCHILL: What a waste.

11  
12 MR. WATERS: Taylor's giving it to me.  
13 Let's see, eight to 10 cases of wanton waste of cows or  
14 illegal taking of cows. So I guess that's over the  
15 season.

16  
17 MR. CHURCHILL: Okay. Thank you. And  
18 then, as a follow up -- and I'm looking at the numbers,  
19 and I'm on the reported Federal subsistence use. Twenty-  
20 seven percent of the caribou are taken in October and  
21 November. How do you match that up to the palatability  
22 due to the rut? I mean, I'm just curious.

23  
24 MR. WATERS: Well, I'm not even going to  
25 begin to do that. If I'm not mistaken, every year that  
26 this is on, cows were legal to be taken. So a  
27 significant portions could have been cows or young bulls.

28  
29 MR. CHURCHILL: Thank you. That answers  
30 it.

31  
32  
33 CHAIRMAN LOHSE: Thank you. Anybody else  
34 have any questions right now, because I have a couple for  
35 Elijah. Elijah, I'm looking at this paper that was  
36 handed out, and I listed to what you said about the  
37 violations that you saw on the 15th and the five days  
38 that you were there. And maybe I misunderstand this  
39 paragraph, but this paragraph says to me that during the  
40 last week of September a significant number of Nelchina  
41 caribou moved across Federal lands. Many hunters were  
42 concentrated in a relatively small area as well. The BLM  
43 staff were involved in enforcement of eight or 10 cases  
44 of wanton waste of cows or illegal taking of cows in the  
45 10-mile area of the Denali Highway. And it sounds to me  
46 that that took place in that last week of September,  
47 which actually makes sense to me, on comparison to the  
48 violations that you said you saw in five days that you  
49 were there.

50

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1                   When I go back and I look at the numbers  
2 for September, if that was just the last week of  
3 September, then it's really obvious. But if that was the  
4 whole months of September, in some years that would be 33  
5 percent of the caribou that were taken in that month.  
6 Other years, it would be 10 percent, you know, or  
7 approximately 10 percent of the total caribou that were  
8 taken in that month. And these were taken and wasted  
9 because somebody basically shot a cow, either -- and I  
10 would have to say probably, since everybody knows the  
11 area's enforced, inadvertently. Or, the ones that  
12 weren't inadvertently where the ones that took their cows  
13 out without getting caught.

14  
15                   And that would bring me to the next  
16 question. If that's what you saw, and then you  
17 discovered some that you didn't find later laying around  
18 dead -- like, as an idea, what percentage of the cows  
19 that were actually shot actually ended up as being seen  
20 and reported as violations? In other words, how many  
21 cows would you estimate were probably shot during that  
22 time, if that's what you've got violations on and have  
23 discovered? More? I mean, quite a few more? Half of  
24 them?

25  
26                   MR. WATERS: I'm not exactly sure I  
27 understand your question, but these eight to 10 cases,  
28 this is the last week in September. These are the days  
29 that I was with Ron, who is our ranger. And I'm not sure  
30 what the eight to 10 cases are. I don't know if this  
31 means that's how many tickets were written, or eight to  
32 10 animals.....

33  
34                   CHAIRMAN LOHSE: It says of wanton waste.

35  
36                   MR. WATERS: .....you know. But, he did  
37 take some animals and we found some others in the field  
38 so I'm not exactly sure. I don't necessarily think  
39 there's a discrepancy with the days I was there with him  
40 versus this. I think there's other cases of cows being  
41 taken, and I think most of the additional cases of cows  
42 being taken the people would make an attempt to get them  
43 out. And I think in this case, specifically in this area  
44 that this paragraph is referring to, this is that Tenmile  
45 area. And I don't know how many of you are familiar with  
46 that, but there's not a tree in the entire, you know,  
47 several square miles. You know, you can set up with a  
48 telescope and essentially watch the entire area. The  
49 ranger's truck -- a very highly visible deterrent -- that  
50 if people do shoot a cow and they think they can get away

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1 with it they're going to try to leave it versus if  
2 they're out at Tangle Lakes or if they're down in the  
3 Sourdough area. Then, they think they can get it out and  
4 salvage the meat. And then, I'm sure, you know, it may  
5 become a bull once they report it. So, I think there's  
6 other cases, but I don't think that you can extrapolate  
7 eight to 10 cases in a five-day period to the season.  
8 There's no way.

9

10 CHAIRMAN LOHSE: No. That was a very  
11 active five-day period, because the caribou.....

12

13 MR. WATERS: Uh-huh. (Affirmative)  
14 Right.

15

16 CHAIRMAN LOHSE: .....were crossing then.  
17 But that's what I was getting at. That was in a highly  
18 visible area, a highly protected area and you still ended  
19 up with that many cases of wanton waste. It doesn't take  
20 into account -- and I'm sure there were some people in  
21 that area that shot a cow, took it. We'll give them the  
22 best of credit. We'll say they put it in their truck  
23 intending to take it to the Fish and Game, if they caught  
24 on the way to the truck. But once it was in the truck,  
25 it was just as easy to drive home. And if they did that  
26 in that area, how much of it went on in the other area?  
27 And, all of a sudden, we have almost as many  
28 inadvertently taken cows as we used to take when we had a  
29 season.

30

31 MR. WATERS: Right. I would agree with  
32 that statement a hundred percent. I think there are  
33 quite a few inadvertently killed cows that never get  
34 reported. You know, probably not 200, which is our  
35 historic high, but certainly in the neighborhood, I'd  
36 say, of 50.

37

38 MR. JOHN: I hope you're (indiscernible -  
39 off microphone)

40

41 CHAIRMAN LOHSE: Well, from that, I'm  
42 going to go on to the next statement I'd like to make  
43 that you've got written wrong right here. And we go down  
44 to the next paragraph, it says the BLM staff expressed  
45 strong concern that the change in harvest level to bulls  
46 only did not have local support. That was extremely  
47 obvious at our last subsistence Council meeting. I mean,  
48 it was as obvious as you could get that it did not have  
49 local support for exactly the reasons that we're just now  
50 seeing, which is, number one, people aren't going to be

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1 able to tell the difference, and so it turns people who  
2 are trying to do what's right into illegal acting people.  
3 And two, what you say here, this major enforcement effort  
4 that results from this and resulted in these arrests for  
5 wanton waste and everything else has a real adverse  
6 community reaction. In other words, the community gets  
7 to where they don't want to work with enforcement. And  
8 this is my contention, that there were minor conservation  
9 gains, because with the inadvertent taking of them and  
10 the wanton waste I think they more than offset the  
11 conservation gains in that short period.

12

13 Now, what I would do, I'd go one step  
14 further, though, than you. And that's if somebody took a  
15 cow during that season under your permit right here, I  
16 would say they filled their tag. They don't have a  
17 chance to take one in the spring, because it's an  
18 inadvertent thing. They're trying not to do it. But,  
19 instead of making them into an outlaw for doing it,  
20 they're done hunting. I mean, we do the same thing with  
21 waterfowl in other parts of the United States.

22

23 MR. WATERS: Uh-huh. (Affirmative)

24

25 CHAIRMAN LOHSE: You take a certain  
26 species of waterfowl, you're not illegal. We don't want  
27 this bird taken -- say it's a canvasback, for example.

28

29 MR. WATERS: Uh-huh. (Affirmative)

30

31 CHAIRMAN LOHSE: You take the canvasback,  
32 you don't become illegal because you took the canvasback  
33 but your day of hunting is over, or your season is over.  
34 And that's the penalty you pay for taking something that  
35 you didn't want to take -- but you don't become a crook  
36 because you did it.

37

38 MR. WATERS: That's an excellent  
39 compromise, I think. But, everything you say about  
40 community support, you know -- and, traditionally, the  
41 BLM in the Glennallen/Paxson area, we have been the good  
42 guys, you know. We're looked on as favorable. And, you  
43 know, when all of a sudden Joe's cousin gets a ticket  
44 then we're not so good anymore.

45

46 CHAIRMAN LOHSE: Well, it would be  
47 different if the person was getting a ticket because they  
48 were trying to violate the law. People know that when  
49 they try to violate the law, they're putting themselves  
50 at risk for a ticket. But, when you're trying to do

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1 right, and you inadvertently violate the law -- and it's  
2 not just once incident. You know, you're talking eight  
3 to ten incidents in just this one little paragraph right  
4 here. Obviously, more than one person made the same  
5 mistake, and they definitely weren't all trying to make  
6 the mistake. Fred.

7

8 MR. ELVSAAS: Yeah. Thank you. You  
9 mentioned finding several cows abandoned, wanton waste  
10 and so forth. About how many was there?

11

12 MR. WATERS: How many cows did we find?

13

14 MR. ELVSAAS: Approximately? Five?

15

16 MR. WATERS: Probably three or four.

17

18 MR. ELVSAAS: But, you know, beyond just  
19 shooting those and leaving them that same hunter is going  
20 to kill another one, too.....

21

22 MR. WATERS: Absolutely.

23

24 MR. ELVSAAS: .....you know. So you've  
25 lost twice as much, in that you lost the legal one  
26 secondary and then the wanton waste one.

27

28 MR. WATERS: Uh-huh. (Affirmative)

29

30 MR. ELVSAAS: So, that's another  
31 consideration here. Thank you.

32

33 MR. WATERS: You know, I really like the  
34 idea of maybe, you know, one cow equals two bulls. You  
35 know, if you kill a cow that's it. We'd have to maybe  
36 discuss what would happen if you kill a bull first and  
37 then kill a cow. You know, what's that equal? But I do  
38 like the idea if you kill a cow you're done.

39

40 CHAIRMAN LOHSE: There's a simple  
41 solution to that. You have one caribou a day limit. So  
42 you can only take one caribou on any given day. If you  
43 take a cow, you're done. And if you take a cow in the  
44 Spring season, you're taking an antlerless animal at that  
45 point in time, so there's not problem. But, I mean, we  
46 can do it if we feel that it's needed to be done in order  
47 to not make the community into outlaws, for the  
48 conservation reasons because, if we have that kind of  
49 wanton waste, I don't see any conservation gain.  
50 Especially, like he says. The guy that shoots the



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1 illegal animal doesn't bother to use his ticket on it.

2

3 MR. WATERS: Unh-unh. (Negative)

4

5 CHAIRMAN LOHSE: He can go out and take  
6 another legal one, too.

7

8 MR. WATERS: Uh-huh. (Affirmative)

9

10 CHAIRMAN LOHSE: So.....

11

12 MR. ELVSAAS: Or, possibly shoot another  
13 cow.

14

15 CHAIRMAN LOHSE: With that, anymore  
16 questions for Elijah? Okay, now. Other agency comments  
17 or Fish and Game biologists that would like to come up  
18 and share some thoughts on it. I mean, we're an  
19 antagonistic crowd so we'll.....

20

21 MR. SCOTTEN: Members of the Council, my  
22 name is Brad Scotten. I'm the assistant area biologist  
23 for the Glennallen area. A few comments, I guess. I'll  
24 start with a couple of points of clarification. I'd also  
25 like to thank Donna. I think she did an excellent job  
26 with her presentation, and so far the discussion has been  
27 pretty interesting.

28

29 A couple of points of clarification on  
30 biology questions that came up earlier. Typically, in  
31 the wild with caribou twinning is an exceedingly rare  
32 event. It basically doesn't occur. It has been  
33 documented in utero, but essentially we don't even  
34 measure twin rates in caribou because it's so rare. So,  
35 in terms of their productivity, the maximum we usually  
36 see in the wild is 90 percent pregnancy for adult cows,  
37 and so, you know, we'd have one cow and one calf every  
38 year type of thing.

39

40 And then, the other question that came up  
41 was about antlers being an indication of pregnancy and  
42 not pregnancy among cow caribou. Antlers can be used as  
43 an indication of pregnancy very late in the spring. What  
44 you see happening is all the cows retain their antlers  
45 until around April. And then, you actually start seeing  
46 new antler growth at that time -- early to mid-April --  
47 for non-pregnant cows, and they will shed their antlers  
48 at that time. So, during the hunting season -- to date  
49 up through March 31st -- you'd typically see all the cows  
50 still retaining their antlers. And then, through May, or

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1 up until the time of calving, a pregnant cow typically  
2 keeps her antlers right until she gives birth, and at  
3 that time there's a significant hormonal change in the  
4 balance in a cow, and they shed their antlers usually  
5 within two days of giving birth, either before or after.  
6 So, we actually do use antlers on cows as an indication  
7 of pregnancy to get pregnancy rates in mid-May. So, when  
8 we're flying, if a cow has antlers and a distended udder,  
9 we assume her to be pregnant and that research has shown  
10 that to be true 95 percent of the time, something like  
11 that.

12

13 CHAIRMAN LOHSE: Can I interrupt you for  
14 just a second?

15

16 MR. SCOTTEN: Sure. Ask questions.

17

18 CHAIRMAN LOHSE: Then, what you're saying  
19 is that basically until March 31st -- and again, there's  
20 no 100 percent on anything. We realize that. But,  
21 basically, till March 31st the only thing you're going to  
22 see with the antlers dropped is a bull?

23

24 MR. SCOTTEN: That's true.

25

26 CHAIRMAN LOHSE: I mean, let's say 99  
27 percent or something like that.

28

29 MR. SCOTTEN: Yeah. Actually, even a  
30 calf of the year which would be a what we call a short  
31 yearling -- they're 10 or 11 months old -- has long spike  
32 antlers that they retain, and they're actually kind of  
33 soft and fuzzy. But they would actually have hard  
34 antlers as well and not be legal in your bag limit.

35

36 CHAIRMAN LOHSE: Yeah. So, basically,  
37 pretty much up till March 31st we could figure that if it  
38 was missing the antlers it was a bull?

39

40 MR. SCOTTEN: More than likely.

41

42 CHAIRMAN LOHSE: And then, in early  
43 April, if there was cows missing the antlers -- or let's  
44 say if we went to April 20th -- if there was cows missing  
45 their antlers, the tendency would be that those would be  
46 that those would be pregnant cows?

47

48 MR. SCOTTEN: They would be more likely  
49 to be barren, non-pregnant cows.

50

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1 CHAIRMAN LOHSE: Barren cows. That's  
2 what I mean, barren cows.

3  
4 MR. SCOTTEN: Along the lines of the  
5 conversations about antlers and the proposal from Elijah,  
6 which we just got to review yesterday for the first time.  
7 The -- I guess I would offer the comments or the cautions  
8 regarding an antlerless season during the winter hunt.  
9 Because if the season reopens October 21st, as some of  
10 the proposals have, a few of the large bulls, the very  
11 large herd bulls lose their antlers and I think you  
12 pointed this out Ralph, right off the bat, and they're  
13 antlerless around November 1st but many, many of the  
14 bulls retain their antlers through November, through  
15 December, some of them retain them through January and  
16 February and a hunter, just yesterday, I was just talking  
17 to at the office went up to the Federal area over this  
18 past weekend and shot two bulls and one is a medium size  
19 bull and one is a small bull and both still had their  
20 antlers. So if you choose to go to an antlerless season,  
21 in effect, at least during the early winter, I think what  
22 you would be doing is reducing the pool of legal animals  
23 to be harvested, probably by half on average. And you  
24 would be selecting, specifically for the large breeding  
25 herd bulls.

26  
27 CHAIRMAN LOHSE: Okay.

28  
29 MR. SCOTTEN: And in terms of the  
30 palpability question in late October or early November,  
31 those flat-head bulls November 1st may be the ones that  
32 are still a little rutty, whereas a dinky little bull  
33 that still has hard antlers and may keep them until March  
34 would be fine eating and is currently legal under the bag  
35 limit of bulls only you just have to be close enough to  
36 identify, you know, via the other characteristics of a  
37 penis sheath and the white mane and what not, that it's  
38 indeed a bull.

39  
40 CHAIRMAN LOHSE: Okay. So what you're  
41 saying is that from November, probably until March you  
42 would be limiting instead of extending opportunity by  
43 having antlerless only?

44  
45 MR. SCOTTEN: Yeah, there would be some  
46 proportion of those bulls that still have their antlers  
47 so I can envision a hunt in November where the hunters  
48 are on this area and they can clearly identify a group of  
49 five bulls standing before them and they would all be  
50 illegal because they all still had their antlers and then

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1 you've got a frustrated subsistence hunter that can't  
2 find a large antlerless bull during that time of year.

3

4 CHAIRMAN LOHSE: Okay.

5

6 MR. SCOTTEN: I can entertain more  
7 questions. I have some other comments regarding the  
8 wanton waste issue as well.

9

10 CHAIRMAN LOHSE: Okay, go ahead.

11

12 MR. SCOTTEN: My boss, Bob Toby has been  
13 in the area for 23 years as the area biologist and I've  
14 just been there since '98 so this is my fourth hunting  
15 season in the area. But I've worked in Fairbanks and the  
16 Anchorage offices for several years before that. And  
17 both of us, our collective experience working with the  
18 Division of Wildlife Conservation over the years is that  
19 any time you're hunting a herd animal like caribou,  
20 wanton waste is a very unfortunate matter of fact  
21 consequence of hunting an animal with those types of  
22 behaviors. This, and I give BLM a lot of credit, they  
23 got a full-time ranger there on staff and he was there  
24 patrolling and working hard. But this is the first time  
25 that BLM managing that hunt has had their own staff  
26 member there on a regular basis watching what's going on.  
27 IT also coincides with the first year that it was a bull  
28 only season. Prior to that time, the Fish and Wildlife  
29 Protection, the State officers spent what time they could  
30 up there during the Federal season. Bob and I have both  
31 spent considerable time on the hunt area, we fly over the  
32 area regularly and I can assure you that this is jut the  
33 first time that the limelight has been shined on the hunt  
34 in that area. Every year, whether you want to believe it  
35 or want to see it or not, there's a lot of wanton waste.  
36 Even if it's an any caribou season, either sex. And it's  
37 simply because there's a number of ways that wanton waste  
38 happens and with caribou, people do engage in things like  
39 herd shooting, shooting at a group of caribou at a long  
40 distance and when nothing falls, they assume they didn't  
41 hit anything and those caribou run off and it runs over  
42 the ridge and one of them dies, anybody that's hunted a  
43 lot knows that, you know, a long shot caribou might run a  
44 quarter of a mile before it falls down. And if they  
45 don't follow up on it, then that animal is wasted. It  
46 might be a bull, it might be a cow. And they go on and  
47 they hunt elsewhere. That happens.

48

49 So that's sort of the unintended wounding  
50 of an animal, not knowing that they're getting it.

00101

1 They're shooting at excessive distances, intention --  
2 sometimes they do intentionally leave an animal. Like  
3 this year, I think you might see a little bit more of  
4 that occurring because they know cows are illegal and  
5 they pick the wrong animal and they shot it and it fell  
6 and they knew it and they walked up there and it was a  
7 cow and they walked away. But again, in the past, and  
8 Bob's document it clearly -- and I've seen it myself, in  
9 a November hunt, when it was either sex, he was flying  
10 moose surveys in the area and he found, I forget the  
11 exact numbers -- he tells me 50 percent and I think it  
12 was -- there were about a dozen kills that he witnessed  
13 or saw, six were gut piles and six were whole caribou  
14 that were wasted and those ones that were wasted  
15 frequently were animals that walked off wounded and the  
16 hunter didn't know he hit them.

17

18                   So I guess you have to interpret or think  
19 about all the past harvest statistics knowing that full  
20 well that those are minimums, those are the reported  
21 harvest. There's intentional poaching that's not  
22 reported, there's intentional -- or unintentional  
23 wounding loss that doesn't go reported, so in years where  
24 we think we took a hundred cows out of the herd, you can  
25 add a certain percentage to that for the accidental loss  
26 of wounding rate and wanton waste and those unfortunate  
27 things that happen. you know, we do strive to reduce  
28 that as much as possible through education and through  
29 talking to hunters and being in the field and making  
30 contacts and what not.

31

32                   I don't want to drown this to death here  
33 but I just think you need -- I know it's been brought to  
34 the forefront of people's minds with some of the  
35 testimony apparently that's gone on here recently but  
36 it's not something that is uncommon, even when it's  
37 either sex hunting conditions.

38

39                   CHAIRMAN LOHSE: That was one of the  
40 things that I was trying to get out to the question I  
41 asked Elijah is -- and that's -- I was wondering is when  
42 you do your statistics, do you include -- I use the word,  
43 fudge-factor, do you -- just like you would do when you  
44 have reporting from subsistence fishwheels and things  
45 like that, do you have a factor that you put into the  
46 harvest for animals that were killed but not taken? Do  
47 you even consider that in part of your statistics?

48

49                   MR. SCOTTEN: Absolutely. It's not  
50 always perfectly explicit but for the -- when we model

00102

1 the population herd growth or changes in population, in  
2 years where -- the State hasn't had a cow season but we  
3 actually model in some cow harvest from State hunters and  
4 some cow harvest from Federal hunters as well because we  
5 know that it occurs. We're guessing at the rate or the  
6 particular amount but we do include a fudge factor, if  
7 you will in our modeling to always indicate that, you  
8 know, there's a little bit of that accidental type stuff  
9 going on.

10

11 CHAIRMAN LOHSE: Well, that's the  
12 question that I had before, was -- and again, we know  
13 these aren't precise numbers. I was just wondering what  
14 kind of an idea you had as that -- and as that estimated  
15 unreported take, wanton waste, poaching, in other words,  
16 like in Sweden where they take care of the moose, you  
17 know, where they harvest them very specifically, they  
18 figure in a certain percentage were hit by trains, a  
19 certain percentage were hit by cars, a certain percentage  
20 that are poached, a certain percentage are -- you know,  
21 and they've got all of those factors that they work right  
22 into, what the harvest is. Do you have any kind of a  
23 percentage estimate of percentage that comes out as to  
24 what would be the normal range of animals that are taken  
25 that aren't reported that shouldn't have been taken?

26

27 MR. SCOTTEN: You're trying to get me to  
28 commit to a number and I understand that.

29

30 CHAIRMAN LOHSE: No, I'm looking at a  
31 range.

32

33 MR. SCOTTEN: Sure.

34

35 CHAIRMAN LOHSE: A range.

36

37 MR. SCOTTEN: I'll tell you what I know  
38 because the studies to get at those particularly types of  
39 things are few and far between and they're very difficult  
40 to conduct because they're dealing with typically an  
41 illegal behavior. The studies that I know of that have  
42 occurred in the past have had a range of wounding  
43 loss/illegal harvest between 10 and 35 percent depending  
44 upon the species and the geographic location. The 35  
45 percent that I recall was, I believe, on deer in Arizona.  
46 It would not surprise me from my experience watching  
47 caribou hunts near the road in the Glennallen area, in  
48 the Tok area, in the 20(B) area outside of Fairbanks that  
49 we've got wounding and/or loss rates in the 10 to 15 to  
50 20 percent range. It wouldn't chock me. I'm not saying

00103

1 that's what it is but it would not surprise me if that  
2 were going on.

3

4 CHAIRMAN LOHSE: It probably wouldn't  
5 surprise me if it was even a little higher than that  
6 simply because caribou are an animal that don't show  
7 being hit very easy. They're a very stoic animal.

8

9 MR. SCOTTEN: Yeah.

10

11 CHAIRMAN LOHSE: But has a tendency to  
12 walk off without even showing that it was impacted then  
13 it goes over the ridge and lays down. Okay, well, that  
14 brings into perspective the observed violations that we  
15 saw this year. It shows that it's not a one-time thing.  
16 But with that in mind, and it's hard to put you on the  
17 spot this way, but because of that local adverse  
18 reaction, local non-support -- you know, it doesn't  
19 matter whether you're protecting panda's in China or  
20 whatever or rabbits in England, you can't have any better  
21 support for non-poaching than having the local support  
22 what you're doing. Because if the locals aren't  
23 supporting what you're doing animals will be taken  
24 anyhow. Not on purpose but nobody's going to  
25 inadvertently, you know, throw something away that they  
26 took. Do you feel like there's enough of a gain to  
27 offset the loss in local support, local reaction and  
28 everything with what we're managing to save by not  
29 allowing the taking of a cow inadvertently or might some  
30 incentives to not take a cow but still allow cows to be  
31 taken if they are taken?

32

33 MR. SCOTTEN: Yeah, I have some thoughts  
34 along those lines and I appreciate the opportunity for  
35 being able to share them. First of all, I guess the  
36 issue of local support or non-support, apparently,  
37 probably has a lot to do with who you're listening to and  
38 which meetings you attend. I was not at this meeting  
39 last year so I didn't have the benefit of the testimony  
40 that was there. My experience as a State employee in  
41 that area is that we received no complaints from anybody  
42 about the change in the Federal season and we deal with  
43 local users on a regular basis, every day. Just a couple  
44 of weeks ago, at the local SRC meeting in Tazlina this  
45 proposal was voted on and the Council, I believe -- or  
46 the Commission with all but the support of one member  
47 voted to support keeping the bulls only season for  
48 another year. So they supported us. The local Advisory  
49 Committee in Paxson which our other advisory committees  
50 didn't 'meet this year because we're on an off board

00104

1 cycle for State proposals, the Paxson committee supported  
2 retaining the bulls only season. Prior to submitting my  
3 earlier comments to Terry Haynes regarding these  
4 proposals, I actually called the field office BLM Staff,  
5 the front line folks, the folks that issue permits, and  
6 granted they're talking to people when they get their  
7 permit not after they've been hunting, but they told me  
8 that they had heard very little complaining about going  
9 to bulls only and that on the contrary, they had had  
10 actually had several comments saying, you know, this is a  
11 good thing, we should be doing our part for conservation  
12 right now until the herd gets back to within management  
13 objectives.

14

15                   So from my perspective and I admit that,  
16 you know, being a State employee I may not be hearing all  
17 voices, that there is a fair amount of local support.  
18 Now, I have also herd very disgruntled individual hunters  
19 who were cited for various illegal acts that weren't very  
20 happy with the situation up there. And I can assure you  
21 that many of those violations had nothing to do with  
22 killing a cow this year, they have to do with the  
23 boundaries of the hunt area and the enforcement of the  
24 line between State and Federal lands. That has been a  
25 point of contention for a number of years. It came to  
26 the forefront this year again because BLM had a ranger on  
27 site who is dealing with it on a daily basis.

28

29                   The State's been wrestling with it. We  
30 fly over the area and see dead caribou and gut piles all  
31 over State land when the State season's closed but we  
32 have not had the resources in the past to deal with those  
33 violations. So there is some dissatisfaction and  
34 unhappiness by hunters. Some of them, I'm -- you know, I  
35 agree with Elijah, there's some discretion involved about  
36 whether a hunter intended to shoot a caribou a hundred  
37 yards over the line, a half a mile over the line, a mile  
38 over the line, and it's generally at the discretion of  
39 the officer in the field whether or not the violation of  
40 bordering effect was egregious enough to warrant a  
41 citation or not. It depends on which officer you had to  
42 deal with on that day. So there's individual  
43 dissatisfaction but I, personally, feel there's a fair  
44 amount of support right now to maintain the conservation  
45 efforts that are in place to share the burden between  
46 State and Federal hunters and then, you know, Bob and I,  
47 as local biologists have recommended that as soon as we  
48 can clearly identify the trajectory of this herd is for  
49 growth and that we meet the minimum 35,000 estimate in  
50 the fall, in October, that the BLM return to their either



00105

1 sex bag limit at that time. And if there's an additional  
2 allowable harvest of cows beyond that then the State will  
3 consider going back to some portion of their harvest  
4 being either sex.

5  
6 So that has been our recommendation from  
7 the field office.

8  
9 CHAIRMAN LOHSE: Thank you, that  
10 clarifies some things. Does anybody else have any  
11 questions? Fred.

12  
13 MR. JOHN: The local Advisory Committee  
14 in Glennallen, what I see there I don't believe it  
15 represents the majority of the people which are Native  
16 people, you know, and as long as I've been there I hardly  
17 ever seen a Native attend the meeting in Slana for the  
18 local or in Glennallen for the local and Paxson, you  
19 know, there's none there. And since Federal took over,  
20 you know, their part, they're mostly Native which stick  
21 with the Federal government and I don't think they have  
22 any -- really input into the local Advisory Committees.  
23 And to support two bulls -- if the Native were involved  
24 in the local Advisory, I believe, you know it would be a  
25 different story.

26  
27 CHAIRMAN LOHSE: Thank you. Bob.

28  
29 MR. CHURCHILL: Yeah, a question, as part  
30 of this proposal, is one of the ideas to extend the  
31 season -- close it for two or three months -- or two  
32 months during the winter time, during the rutting season  
33 and extend it through April 20th, the assumption is that  
34 the animals that weren't taken during the winter would  
35 offset the additional animals taken in that April hunt.  
36 Does our history support that? I guess I'm concerned  
37 that there may be actually significantly more animals  
38 taken March 31st through the 20th if we were to extend it  
39 than have been taken in that October and November period?

40  
41 MR. SCOTTEN: I thought Donna did a  
42 pretty good job with the harvest statistics and looking  
43 at what might be the loss of opportunity in October, late  
44 October and November with the -- I think it was 27  
45 percent of the harvest on average, comes from those two  
46 months. What we see with the Nelchina herd is that in a  
47 typical year, they migrate out of Unit 13 during and just  
48 after the rut. So in mid- to late October, they start on  
49 the move and they head east and they're heading towards  
50 Mentasta and Tok. Now, if the season were closed in late

00106

1 October and November, frequently, the entire herd would  
2 be gone by the time the season reopened. So hunters do  
3 take advantage of the caribou herd when it's on those  
4 small areas of Federal land. I think there's a definite  
5 possibility that if you close that 40 days or whatever it  
6 amounts to of the season that you will lose the only  
7 window of opportunity when the caribou are on Federal  
8 land in the fall.

9

10 This is a strange winter for the Nelchina  
11 herd. For the first time since I've been there and in  
12 about five or six years, the majority of the herd has  
13 actually stayed in Unit 13 for the winter. They went  
14 into the winter in really good physical condition with  
15 lots of fat and a bunch of them didn't migrate. And as a  
16 consequence, they've been available on Federal land  
17 throughout much of the winter, off and on, moving in and  
18 out of the areas around Tango Lakes and the Tenmile area.  
19 So there's been lots of opportunity on Federal land this  
20 winter, way more than normal.

21

22 And to answer your question more directly  
23 about the April portion of the hunt, normally when they  
24 come back is starting in April, about the 5th or 10th of  
25 April, they start coming back from the Tok area and  
26 migrate through large lines crossing the Richardson  
27 Highway between Meyers Lake and Paxson Lake and Sourdough  
28 and that area. There is the potential, with, as Donna  
29 mentioned, I mean there's 2,500 permits out there, 25  
30 percent of those have reported their take. There might  
31 be 1,500 or more permits still out that could,  
32 potentially be hunting in April as they're migrating back  
33 through that Federal corridor. And what Bob and I  
34 frequently concern ourselves with is the potential to  
35 harvest cows if the moon's align correctly. With that  
36 many permits out there and if the caribou linger on  
37 Federal land very long, the word rapidly spreads among  
38 local users that they're there, they're available and if  
39 we have an either sex bag limit, there's a potential for  
40 a substantial cow harvest and that worries us.

41

42 MR. CHURCHILL: Thank you.

43

44 MR. JOHN: I got a question.

45

46 CHAIRMAN LOHSE: Fred.

47

48 MR. JOHN: I just got a question, one  
49 year there was so much caribou up in the Northway area  
50 there was hardly any in our area, and then this year it

00107

1 just seems like it's reversed, what do you think causes  
2 that, the feeding or the food available?

3

4 MR. SCOTTEN: That's a real good question  
5 and it's speculation to some extent on our part. But  
6 this is the first year that we've seen the caribou go  
7 into the winter and late fall in really good physical  
8 condition. They had a good summer, the cows were fat,  
9 the calves that were born in May weighed more in October  
10 when we captured a sample of them than they have in six  
11 years. They weighed 15 pounds on average more than they  
12 weighed the years before. So they went in, they were  
13 really in good physical condition and maybe they just  
14 didn't feel the compelling need to go to a premier winter  
15 range to maintain their physical strength so they could  
16 stay in Unit 13 which may not have as good a winter  
17 habitat, but if they went in fat they, you know, thought  
18 maybe the forage was adequate to get them through the  
19 winter right there in Unit 13.

20

21 But we did see an exact flip-flop. We  
22 used to see 90 percent of herd migrate, 10 percent stay.  
23 This year we've seen 90 percent stay and 10 percent  
24 migrate.

25

26 MR. JOHN: Thank you.

27

28 CHAIRMAN LOHSE: Any other questions.  
29 I've just one more I was going to ask you. After talking  
30 to you about that antlerless part of it as a way to tell  
31 bulls, it sounds to me like if we did that early in the  
32 season, October, November, even January or February we'd  
33 be limiting the amount of animals that we have access to.  
34 But come about March, when, if we look at our chart right  
35 here, we see that, you know, over the years March takes  
36 about 19 percent of the animals. And if we ended up  
37 extending it into April, that would be even more  
38 important yet. Come about March, the antlerless would be  
39 a good indication of the bulls and we'd probably have the  
40 majority of the bulls be antlerless by that time?

41

42 MR. SCOTTEN: Yeah, I would say the  
43 majority of them are although some small bulls,  
44 especially yearling bulls will actually keep their  
45 antlers probably right through March until they start  
46 growing their new ones when they shed their old ones.

47

48 CHAIRMAN LOHSE: So even if we didn't go  
49 to antlerless for the whole time, if we wanted to cut  
50 down cow mortality, even accidental cow mortality, come

00108

1 March, when the hunting again picks up it wouldn't be a  
2 bad idea to go to antlerless at that point in time  
3 because we'd have a fairly good indicator that we were  
4 dealing with bulls, we wouldn't cut down the harvest  
5 opportunities very much and we definitely would probably  
6 eliminate the possibility of taking very many cows at all  
7 then in March.

8

9 MR. SCOTTEN: I think just depending upon  
10 the harvest strategy regime that you recommend to the  
11 Federal Subsistence Board, that could be a component of  
12 it. If you're in a year like this where it's bulls only,  
13 at the very least, it's a clear indication to the hunters  
14 in the field if they're notified that antlerless caribou  
15 are more than likely going to be the bulls, you know,  
16 target those animals, that type of recommendation is  
17 going to be real helpful.

18

19 Because, I mean just given the discussion  
20 that's occurred here, there's lots of people that have  
21 questions of their own about who's got antlers and who  
22 doesn't at different times of the year and it is a  
23 complicated, complex thing that's based on size and age  
24 characteristics and hormone levels and there's some  
25 guidelines to follow. But as usual in the biological  
26 world, there's very few rules that are hard and fast that  
27 don't have exceptions.

28

29 CHAIRMAN LOHSE: Does anybody else have  
30 questions?

31

32 MR. JOHN: I got one more question.

33

34 CHAIRMAN LOHSE: Fred.

35

36 MR. JOHN: You said something about the  
37 BLM proposal, you know, a cow and a bull, I forget what  
38 you said about it, did you kind of like that proposal?

39

40 MR. SCOTTEN: Right now, Bob and I and I  
41 think the State Staff recommendation is to oppose that, I  
42 guess it's an amended proposal as well until there are  
43 clear indications that the herd is growing and that we've  
44 reached the minimum population objectives. We feel  
45 there's not an allowable cow harvest. Now, we know  
46 there's going to be some cow harvest illegal, accidental  
47 but we feel that that is less than if we have a  
48 legitimate open cow season where we've got, you know, up  
49 to 2,500 permits in the field. The potential for a cow  
50 harvest, you know, if it's 50 cows it might not be a big

00109

1 deal, but if that mushrooms into a hundred or 200 then it  
2 starts impacting the trajectory of that growth or  
3 stability or decline of the herd. So we're the first to  
4 agree that BLM and the local subsistence use should go  
5 back to the two caribou bag limit when we see those  
6 positive indications that the herd is going to meet  
7 management objectives and continue to grow. But until  
8 then we're recommending maintaining the bulls only  
9 season.

10

11 CHAIRMAN LOHSE: Any other questions.  
12 Sue.

13

14 MS. WELLS: On that same vein, your  
15 opinion on the change of the season then?

16

17 MR. SCOTTEN: The early portion of the  
18 season change, there's three proposals on the table, I  
19 guess. But our recommendation would be to maintain the  
20 October 21st reopening. Because if you change it to  
21 December 1st, you may very well be restricting hunters  
22 unnecessarily when there's legal animals and bulls to be  
23 taken and you'd also have a frequently -- an open State  
24 season at that time. At the tail end of the season, we  
25 would prefer to see the March 31st closure. Hunting into  
26 April, there's -- and the discussion has been really good  
27 along those lines that it's a high stress time of year,  
28 they're frequently migrating, it's late winter, they  
29 haven't had anything good to eat since September. There  
30 are some potential impacts, we can't measure them, again,  
31 it's a difficult type of study to do, hunter displacement  
32 and harassment and hunting animals during that time of  
33 year might have a negative impact on energetic balance  
34 and what not. We don't expect to see any sort of  
35 spontaneous loss or anything like that, unless they are  
36 in very poor physical conditions, which, in some years  
37 the Nelchina herd is in very poor condition when they  
38 come back from winter range depending on how severe the  
39 winter was.

40

41 I guess it seems like there's ample  
42 opportunity to hunt through March and then to give them  
43 that later winter, April migration period before calving  
44 without the hunter harassment was our recommendation.

45

46 And then also, if you changed it to April  
47 20th and then subsequently next year or the year after  
48 you go back to an either sex limit, would -- you know,  
49 you have to ask the question, well, does it change the  
50 bag limit in April as well. It's back to either sex

00110

1 because then you would have a potential very high harvest  
2 of pregnant cows at a time when they're full term  
3 basically so that would be of concern to us.

4

5 CHAIRMAN LOHSE: Any other questions.  
6 Thank you, muchly for the information shared with us.  
7 Fish and Game Advisory Committee comments, do we have  
8 any? Nope. Summary of written public comments, Ann.

9

10 MS. WILKINSON: Mr. Chairman, there are  
11 three. The Paxson Fish and Game Advisory Committee  
12 supports the proposal provided Alaska Department of Fish  
13 and Game believes the herd can support the additional  
14 hunting pressure. Taking cows can substantially hurt the  
15 population and it can take years to undo the effects of  
16 one hunting season.

17

18 The Wrangell-St. Elias Subsistence  
19 Resource Commission supports Proposal 16 with  
20 modification to change the season dates from November 1st  
21 through April 20th and the harvest to two bulls rather  
22 than two caribous.

23

24 The Denali Subsistence Resource  
25 Commission opposes this proposal and concurs with the  
26 Staff analysis preliminary conclusion for the reasons  
27 stated in the analysis justification.

28

29 And that's all.

30

31 CHAIRMAN LOHSE: Did you say the Denali  
32 supports Staff, is that what you said?

33

34 MS. WILKINSON: Yes, Mr. Chairman.

35

36 CHAIRMAN LOHSE: Thank you. Okay, with  
37 that we have some public testimony but maybe we should  
38 take a break just for a second, about 10 minutes.

39

40 (Off record)

41

42 (On record)

43

44 CHAIRMAN LOHSE: We'll call this meeting  
45 back in session. Morris, we have public testimony by  
46 Morris Ewan.

47

48 MR. EWAN: My name is Morris Ewan. I  
49 represent Gulkana Village as well as the ATHNA people.  
50 Gloria kind of took all the words that I was going to say

00111

1 before I came up here and said a few things. But another  
2 thing, a fact I'd like to mention about the caribou herd  
3 and some other game kind of on the rebound -- slow in  
4 rebounding is because of the predator control, like bears  
5 and wolves overtaking them, you know. I fly around with  
6 Harley McMann and Chuck McMann and they've been guides  
7 around in that area for -- Harley's been around there for  
8 40 years so I pretty well know what I'm talking about  
9 when I see predator control, you know.

10

11 So that's about all I had to say, thank  
12 you. Thanks for listening.

13

14 CHAIRMAN LOHSE: Any questions for  
15 Morris. Mr. Churchill.

16

17 MR. CHURCHILL: One, thank you for coming  
18 in and talking with us. Do you have any thoughts or  
19 recommendations how we might implement a little more  
20 effective predator control in GMU-13, Mr. Ewan.

21

22 MR. EWAN: I don't know, it seems like  
23 they protect the bears pretty much up there, you know,  
24 and you'd probably get more time for killing a bear than  
25 killing a man, it seems like to me.

26

27 MR. CHURCHILL: If I could follow up. I  
28 mean it seems like we have some really liberal seasons on  
29 bears in GMU 13 but we don't seem to take down the  
30 population significantly. Do you have any thoughts of  
31 things we might do differently to reduce the number of  
32 bears or maybe even specifically target bears who are  
33 most efficient at taking calves in any -- any ideas?

34

35 MR. EWAN: I don't have much ideas about  
36 how to take them bears out but, you know, but to open the  
37 season more on them probably. And another thing I'd like  
38 to -- the BLM proposal by Elijah and them, too, so with  
39 that, I'll say good bye.

40

41 MR. CHURCHILL: Thank you very much.

42

43 MR. EWAN: Thanks for listening to me.

44

45 CHAIRMAN LOHSE: Any other questions from  
46 Council members?

47

48 MR. JOHN: Morris.

49

50 CHAIRMAN LOHSE: Fred.

00112

1 MR. JOHN: Morris did you say you liked  
2 that BLM proposal?

3  
4 MR. EWAN: Yes, I do.

5  
6 MR. JOHN: Okay, that's all I had.

7  
8 CHAIRMAN LOHSE: Okay, I think Ann has  
9 got a written comment from Eastern Interior. Their  
10 representative had to leave.

11  
12 MS. WILKINSON: Thank you, Mr. Chairman,  
13 yes he did and left this for me. The Council -- this is  
14 the Eastern Interior Regional Advisory Council deferred  
15 Proposal 16 to the Southcentral Council, with the intent  
16 to favor the BLM compromise and a March 31 closure date.  
17 The Council would like to have the Southcentral Council  
18 take the lead on this issue but they are concerned about  
19 the late winter portion of the season. The Council would  
20 like to see the agencies work out a solution with the  
21 users.

22  
23 And that's the sum total of that comment.

24  
25 CHAIRMAN LOHSE: Thank you. Okay, with  
26 that, Elijah requested the opportunity to say one more  
27 thing before we went into deliberations.

28  
29 MR. WATERS: Yeah, I had just a couple of  
30 things I wanted to clarify. First of all, the crippling  
31 loss versus the waste, now what -- the cases we're  
32 specifically talking about are cows that were shot within  
33 the Federal hunt area and left, and intentionally left  
34 and in some cases gutted and intentionally left. So I do  
35 want to clarify that, you know, what we're talking about  
36 is the waste, not crippling loss.

37  
38 The other thing I want to point out, the  
39 negative public reaction or perception. We actually had  
40 a public meeting in Delta Junction. And by far, the  
41 public response in Delta Junction was that they were  
42 happy that we went to a bull only limit. But in  
43 Glennallen the reaction was, you know, they were  
44 disappointed that we went to a bull only. And I think  
45 the difference between the two was perception. When we  
46 gave a public meeting in Delta and I just asked, how many  
47 caribou the people in Delta thought were taken in the  
48 Federal hunt and the answer, you know, I mean just the  
49 answers, from the crowd, from the people who were coming  
50 was thousands. The perception in Delta was that the



00113

1 Federal hunt took thousands of caribou. We don't even  
2 give out thousands of permits, we give out 2,500. But  
3 the perception was that we're killing thousands of  
4 animals.

5  
6 So think maybe that's where some of the  
7 positive -- or, you know, the mixed reviews that we get  
8 from the public. You know, with that I'll go into, yes,  
9 there's still 2,500 unfilled permits out there but to  
10 even think that there's going to be 2,000 more animals  
11 killed is ridiculous. We can look, you know, over the  
12 history of this Federal hunt we've been pretty darn  
13 consistent in the number of tags that we issue and we've  
14 also been pretty darn consistent in the number of animals  
15 that are taken. So, you know, to think that there's  
16 going to be 2,000 cows or even 2,000 bulls killed in  
17 March and April, you know, the history of the hunt just  
18 doesn't suggest it nor do the subsistence user patterns.

19  
20 Thank you.

21  
22 CHAIRMAN LOHSE: Any other questions for  
23 Elijah? Mr. Churchill.

24  
25 MR. CHURCHILL: Yeah, what's the latest  
26 we've ever had this season open in this area?

27  
28 MR. WATERS: I think it's March 31st  
29 throughout the history of the hunt. I think probably  
30 somebody from Fish and Wildlife Service could verify  
31 that.

32  
33 MR. CHURCHILL: What's your opinion as  
34 far as the probable take between April 1st and April  
35 20th?

36  
37 MR. WATERS: I think it'd be real  
38 similar. If you look two years ago there was a  
39 significant harvest in March and that was because a large  
40 group of animals moved into the area after they had been  
41 gone for a period of time. This year, when, like Brad  
42 said, there's been animals pretty accessible, you know,  
43 since October, I think that the harvest is more spread  
44 out. I think if it were open this April it'd be pretty  
45 minimal using this year as an example. I think it's all  
46 dependent on how those animals are going to move in or  
47 out of the area. If they move out for the winter and  
48 migrate back through in April, there could be, you know,  
49 some animals taken. But if, like this year, if they're  
50 there all year, you know, people right now -- you know,

00114

1 if you want a caribou right now it's pretty much a matter  
2 of getting a snowmachine and going and getting one.

3

4 MR. CHURCHILL: Thank you.

5

6 CHAIRMAN LOHSE: Any other questions.

7 Fred.

8

9 MR. ELVSAAS: As I understand it, the BLM  
10 proposal is one cow allowed or two bulls?

11

12 MR. WATERS: No the BLM proposal was a  
13 compromise. It was one animal of either sex in the early  
14 season and then a bull -- actually an antlerless only as  
15 the bulls begin dropping their horns. Realizing, as Brad  
16 points out, that there's going to be a lot of bulls out  
17 there that still have horns and yes, as a hunter, you're  
18 going to be able to see clearly that that's a bull. But  
19 we're looking at it also from an enforcement standpoint,  
20 too, we're trying to make it easy for the hunter int he  
21 field to stay legal.

22

23 MR. ELVSAAS: Right. Right, yeah,  
24 there's got to be some hunter perception here as to what  
25 they're shooting at.

26

27 MR. WATERS: Right.

28

29 MR. ELVSAAS: Yeah, that's what I was  
30 trying to get at. The hunter has to be aware of the  
31 animal. So the early season is one caribou either sex  
32 and the late season is any antlerless, right?

33

34 MR. WATERS: Right.

35

36 MR. ELVSAAS: Okay, thank you.

37

38 MR. WATERS: Yeah, we're looking at  
39 maximizing opportunity and ease of enforcement.

40

41 CHAIRMAN LOHSE: Fred.

42

43 MR. JOHN: The hunting area for the  
44 caribou, it's just a small Federal area up toward Paxson  
45 so it doesn't cover the whole area.

46

47 MR. WATERS: No, it doesn't.

48

49 MR. JOHN: So I just want to make that  
50 clear, yeah.

00115

1 MR. WATERS: Yes. There's about a 40-  
2 mile stretch on the highway from Sourdough to Paxson and  
3 then there's a couple mile stretch on the Denali Highway  
4 and then there's a narrow strip on the Denali Highway  
5 that takes in Tango Lakes and then the rivers if you have  
6 access to get into there.

7  
8 MR. JOHN: Thank you.

9  
10 MS. WELLS: Mr. Chair.

11  
12 CHAIRMAN LOHSE: Yes, Susan.

13  
14 MS. WELLS: You said that there is 2,500  
15 permits that approximately that you issue per year and  
16 those permits are for the local people in that area,  
17 correct?

18  
19 MR. WATERS: Right. It's the residents  
20 of 20(D) and residents of Unit 13. And each -- that's  
21 not 2,500 people either, that's 2,500 permits. Every  
22 hunter that comes automatically gets two permits, whether  
23 you want them or not you get two.

24  
25 MS. WELLS: Okay. So it really isn't  
26 quite as many people as we're thinking it is?

27  
28 MR. WATERS: No.

29  
30 MS. WELLS: So we're not having an influx  
31 of people from the cities then?

32  
33 MR. WATERS: No. No, it's for locals  
34 only. It's for rural residents.

35  
36 MS. WELLS: Thank you.

37  
38 MR. WATERS: I'm sorry, but you couldn't  
39 get one.

40  
41 CHAIRMAN LOHSE: Any other questions.  
42 Okay, thank you, Elijah. With that it's time for us to  
43 go into Regional Council deliberations. A motion to  
44 either put the proposal as written or modified or  
45 whatever the Council would like is in order. We can put  
46 the Proposal 16, as written. We can put the modification  
47 as given by the BLM. We can put the modification as we  
48 see fit. Or we can just put it off and vote it down,  
49 whichever the Council would like. So I need a motion on  
50 the table so we can discuss it.

00116

1 MR. JOHN: How does the motion go?

2

3 CHAIRMAN LOHSE: However you like.

4

5 MR. JOHN: I like the BLM proposal --  
6 bring up the BLM proposal.

7

8 CHAIRMAN LOHSE: Okay, you put a motion  
9 on the table to support the BLM proposal.

10

11 MR. CHURCHILL: Second.

12

13 CHAIRMAN LOHSE: Okay, it's been moved  
14 and seconded to bring the BLM proposal forward then. So  
15 discussion. Fred.

16

17 MR. ELVSAAS: As I understand it, it's  
18 the BLM alternative to 16, right?

19

20 CHAIRMAN LOHSE: Right.

21

22 MR. ELVSAAS: So just so we don't get  
23 mixed up like we did awhile ago on the other proposal.

24

25 (Laughter)

26

27 CHAIRMAN LOHSE: And it's an alternative  
28 to 16 as written so we're not voting on anything in 16,  
29 we're voting on.....

30

31 MR. ELVSAAS: Right.

32

33 CHAIRMAN LOHSE: .....unless we  
34 modify.....

35

36 MR. ELVSAAS: The BLM.

37

38 CHAIRMAN LOHSE: .....the BLM proposal.  
39 Gilbert.

40

41 MR. DEMENTI: You mentioned earlier about  
42 if you shoot a cow by accident during the fall, that  
43 should be it and I like that idea.

44

45 CHAIRMAN LOHSE: If we were going to do  
46 that we would have to put an amendment to modify the  
47 proposal that way and that's a legitimate amendment.

48

49 MR. JOHN: Mr. Chair, is that the  
50 proposal that you kill the cow in the early fall and then

00117

1 a bull later on?

2

3 CHAIRMAN LOHSE: The proposal is that you  
4 could kill a cow in early fall and later on you have to  
5 kill an antlerless animal.

6

7 MR. JOHN: Okay.

8

9 MR. ELVSAAS: Which could also be a cow.

10

11 CHAIRMAN LOHSE: Which could be but not  
12 likely. That's the proposal that's on the table right  
13 now. The BLM proposal, I think we need to read the  
14 alternatives so we know what we're talking about. The  
15 BLM proposal basically allows the taking of a cow in the  
16 early season but the late season is antlerless animals  
17 only from October 20th to March 31st, right, Ann?

18

19 MS. WILKINSON: October 21st.

20

21 CHAIRMAN LOHSE: October 21st, my fault.  
22 Okay. So -- yes, Susan.

23

24 MS. WELLS: I think, Gilbert, were you  
25 asking about whether or not if they got -- we had  
26 discussed about taking a cow if it was the first animal  
27 that you took, then that would be the last you could take  
28 through the season and it's my understanding that that's  
29 not what we're looking at here. The BLM is giving.....

30

31 MR. DEMENTI: One cow in early season,  
32 antlerless moose.

33

34 MS. WELLS: Right, which could possibly  
35 be a cow but not likely. And so we're not saying that if  
36 you get a cow.....

37

38 MR. DEMENTI: Oh, okay.

39

40 MS. WELLS: .....at the beginning.

41

42 MR. DEMENTI: All right.

43

44 MS. WELLS: Yeah.

45

46 MR. DEMENTI: But you could take two  
47 bulls in the early season.

48

49 MS. WELLS: Right.

50

00118

1 MR. DEMENTI: You know, so you could fill  
2 your quota -- or a bull and a cow in the early season and  
3 be done.

4  
5 MR. JOHN: I'm confused.

6  
7 (Laughter)

8  
9 CHAIRMAN LOHSE: Well, currently, the way  
10 this proposal -- well, let's take a look at the proposal.  
11 Let's read it to make sure we know what it says. This  
12 proposal as -- this alternative: By Federal registration  
13 permit only, however only one may be a cow taken in the  
14 fall season and only antlerless caribou may be taken in  
15 the winter season. That's what it says. Now, in other  
16 words, if you took a cow you could take a bull in the  
17 fall season. If you took two bulls, you could take two  
18 bulls in the fall season. If you took a cow in the fall  
19 season you could take a -- you could wait and take an  
20 antlerless moose -- I mean an antlerless caribou in the  
21 spring season.

22  
23 MR. JOHN: Okay.

24  
25 CHAIRMAN LOHSE: But you wouldn't have to  
26 wait, you could take a bull. My -- I mean if -- can the  
27 Chair offer amendments? Is that legitimate? Can the  
28 Chair even put a motion on the table?

29  
30 MR. CHURCHILL: You're not supposed to.

31  
32 MS. WILKINSON: No.

33  
34 CHAIRMAN LOHSE: You're not supposed to,  
35 I didn't think so. Okay, that's why I haven't done it.

36  
37 MR. JOHN: But you are the Chair.

38  
39 (Laughter)

40  
41 CHAIRMAN LOHSE: You just don't want me  
42 to put anything on the table. Okay, but that's what  
43 we're -- what we have on the table right now is two  
44 caribou by Federal registration permit, however, only one  
45 may be a cow taken in the fall season and only antlerless  
46 caribou may be taken in the winter season. And the  
47 winter season is October 21st through March 31st and the  
48 fall season is August 10th through September 30th.

49  
50 MS. DEWHURST: Mr. Chair.

00119

1 CHAIRMAN LOHSE: Yes, Donna.

2

3 MS. DEWHURST: I do offer, from my  
4 experience with North Slope, when the Chair wanted to  
5 make a motion, he gave the Chair temporarily to the vice-  
6 Chair, made his motion and then went back to the Chair.

7

8 CHAIRMAN LOHSE: Thank you.

9

10 MR. JOHN: Don't take it, vice-Chair.

11

12 MR. ELVSAAS: You hand me that gavel,  
13 you're out of order.

14

15 (Laughter)

16

17 CHAIRMAN LOHSE: Boy, now I see what this  
18 is, this is a gag rule is what we got here.

19

20 MR. ELVSAAS: Rules by Ralph.

21

22 (Laughter)

23

24 CHAIRMAN LOHSE: Okay, so what we have is  
25 we have that motion on the table, that's what we're  
26 discussing. If somebody wants to offer an amendment to  
27 this motion it's possible. And like what Gilbert was  
28 talking about or we can leave it as it is or let me throw  
29 a couple things out you might want to think of.

30

31 What this does is, from October 21st  
32 through March 31st, it's antlerless only. And as the  
33 biologist pointed out, from October 21st until about  
34 March 1st, you're going to be losing opportunity at bulls  
35 that have antlers.

36

37 MS. WELLS: Mr. Chair.

38

39 CHAIRMAN LOHSE: Yes, Susan.

40

41 MS. WELLS: I'm just wondering and I  
42 don't want this to be carried out for hours and I'm  
43 afraid to say something because it might but are we  
44 addressing then the Copper River Native Association's  
45 concerns about the December 20 -- April 20?

46

47 CHAIRMAN LOHSE: No, it's not in this  
48 proposal unless somebody offers an amendment.

49

50 MS. WELLS: Well, I'm just concerned that

00120

1 -- I think I heard that the BLM didn't have a problem  
2 with that.

3

4 MR. JOHN: Yeah, they didn't.

5

6 MS. WELLS: And since the major concern  
7 of the BLM in this compromise or this proposal was  
8 because of the users in that area, having the connection  
9 with them and that we might consider adding that to the  
10 proposal so that the Copper River people would have their  
11 hunt time. That's where their -- I'd just like to throw  
12 that out for some brief discussion.

13

14 CHAIRMAN LOHSE: Would you like to offer  
15 an amendment to extend the season to April 20th and then  
16 we can discuss it? We can't discuss it if you don't.

17

18 MS. WELLS: Yes. I would like to move to  
19 amend this to the December 1 to April 20 time frame.

20

21 MR. JOHN: I second it.

22

23 MR. ELVSAAS: Wait a minute, you said  
24 December, mine says October.

25

26 MS. WELLS: Well.....

27

28 CHAIRMAN LOHSE: That's what the Copper  
29 River Native Association one, the December 1.

30

31 MR. ELVSAAS: Oh, okay.

32

33 MS. WELLS: Because.....

34

35 MR. ELVSAAS: Okay, I follow you.

36

37 MS. WELLS: Okay.

38

39 CHAIRMAN LOHSE: Did I hear a second?

40

41 MR. JOHN: I seconded it.

42

43 CHAIRMAN LOHSE: Okay, it's been moved  
44 and seconded, we have an amendment on the table. And  
45 that would be an amendment to this proposed alternative  
46 from the BLM to have the winter season from December 1  
47 through April 20th instead of October 21st through March  
48 31st.

49

50 Discussion.



00121

1 MR. JOHN: Question.

2

3 CHAIRMAN LOHSE: Question's been called.

4 All in favor signify by saying aye.

5

6 IN UNISON: Aye.

7

8 CHAIRMAN LOHSE: All opposed signify by

9 saying nay.

10

11 (No opposing votes)

12

13 CHAIRMAN LOHSE: I guess I can't vote.

14 Okay.

15

16 MR. ELVSAAS: You can vote if you call

17 roll call.

18

19 CHAIRMAN LOHSE: I'll call a roll call on

20 it.

21

22 MR. ELVSAAS: Okay.

23

24 CHAIRMAN LOHSE: I would like to register

25 why I would vote nay on this one.

26

27 MR. ELVSAAS: Okay.

28

29 CHAIRMAN LOHSE: So.....

30

31 MR. ELVSAAS: Tell her to call the roll.

32

33 CHAIRMAN LOHSE: Well, if it's okay with

34 the rest of the Council I'd like to register a nay vote

35 on this one and explain why.

36

37 MR. ELVSAAS: Sure.

38

39 CHAIRMAN LOHSE: The reason I'm offering

40 a nay vote is because from October 21st through December

41 1 almost -- over the years almost 30 percent of the

42 caribou were taken. And we're losing opportunity on

43 taking of bulls from December 1st to about March 1st, the

44 way I see it, because most of them -- a lot of them won't

45 have dropped their horns and you've also lost the

46 opportunity for October, November -- or at least for the

47 month of November. So I think we're going to have a net

48 loss instead of a net gain. But that's why I'm offering

49 a nay on that one.

50

00122

1                   But it's passed so we now have an amended  
2 motion in front of us. We can offer other amendments if  
3 we'd like to.

4  
5                   MR. JOHN: Could we ask for a  
6 reconsideration?

7  
8                   MR. CHURCHILL: If you're on the  
9 prevailing side you can.

10  
11                  CHAIRMAN LOHSE: Yeah.

12  
13                  MR. JOHN: Uh?

14  
15                  MR. CHURCHILL: If you're on the  
16 prevailing side you can.

17  
18                  CHAIRMAN LOHSE: Yeah.

19  
20                  MR. CHURCHILL: If you voted for.

21  
22                  MR. JOHN: Yeah, I'm on the winning side.

23  
24                  MR. CHURCHILL: Isn't that a nice  
25 feeling.

26  
27                  MR. JOHN: Before that I got to ask a  
28 question of -- that's from October when to.....

29  
30                  CHAIRMAN LOHSE: October 21st through  
31 December 1st we just closed -- through November 31st --  
32 30th we just closed.

33  
34                  MR. JOHN: Is there a way we could take a  
35 little bit out of October and just add that April?

36  
37                  CHAIRMAN LOHSE: You can do anything.....

38  
39                  MR. ELVSAAS: Move to reconsider it and  
40 then offer the amendment from October 21 to April 20.

41  
42                  MR. JOHN: What's that?

43  
44                  MR. ELVSAAS: If we move to  
45 reconsider.....

46  
47                  MR. JOHN: Uh-huh.

48  
49                  MR. ELVSAAS: .....then you can negate  
50 that by offering an amendment that includes the October

00123

1 date.

2

3 CHAIRMAN LOHSE: Or includes whichever  
4 date that you'd like.

5

6 MR. JOHN: How do you do the reconsider?

7

8 MR. ELVSAAS: Move to reconsider.

9

10 CHAIRMAN LOHSE: Just make a motion to  
11 reconsider.

12

13 MR. JOHN: I'll move to reconsider.

14

15 MS. WELLS: You also need to use the  
16 microphone.

17

18 MR. JOHN: This is Fred John, I move to  
19 reconsider.

20

21 CHAIRMAN LOHSE: Do I have a second?

22

23 MR. CHURCHILL: Second.

24

25 CHAIRMAN LOHSE: It's been moved and  
26 seconded to reconsider the motion.

27

28 MR. JOHN: Question.

29

30 MS. WELLS: Wait.

31

32 MR. JOHN: Oh.

33

34 CHAIRMAN LOHSE: Discussion. Is there  
35 any discussion on the reconsideration, not on the motion  
36 just on the reconsideration? The move to reconsider, is  
37 there any discussion?

38

39 MR. CHURCHILL: Yeah, I'd like to ask the  
40 Chair a question?

41

42 CHAIRMAN LOHSE: Yes.

43

44 MR. CHURCHILL: Do you have any thoughts  
45 on this season, the changes in it?

46

47 CHAIRMAN LOHSE: Well, I think we first  
48 need to move whether or not we want to reconsider the  
49 motion and then I could offer that.

50

00124

1 MS. WELLS: Oh, I see what you're saying.

2

3 CHAIRMAN LOHSE: All we're doing is

4 moving.....

5

6 MR. CHURCHILL: We've moved and seconded,

7 have we not?

8

9 CHAIRMAN LOHSE: Yeah, we need to have a

10 vote to put it on the table?

11

12 MR. ELVSAAS: Yes, you have to vote.

13

14 CHAIRMAN LOHSE: Okay.

15

16 MR. CHURCHILL: Okay.

17

18 MR. ELVSAAS: Because you have to have 60

19 percent or more.

20

21 CHAIRMAN LOHSE: Yeah, yeah, okay. So

22 it's been moved and seconded to reconsider the motion.

23 All in favor signify by saying aye.

24

25 IN UNISON: Aye.

26

27 CHAIRMAN LOHSE: All opposed signify by

28 saying nay.

29

30 (No opposing votes)

31

32 CHAIRMAN LOHSE: Motion's back on the

33 table for reconsideration. Now, you can ask the

34 question.

35

36 MR. JOHN: Okay. Could you give me that

37 date?

38

39 MR. ELVSAAS: October 21 to April 20th.

40

41 MR. JOHN: Okay, I move that we amend the

42 date to October 21 to April 20th.

43

44 MR. ELVSAAS: Second.

45

46 CHAIRMAN LOHSE: Okay, it's been moved

47 and seconded to extend the season from October 21 to

48 April 20th. That's the amendment. Discussion.

49

50 MR. JOHN: You got it? Uh?

00125

1 CHAIRMAN LOHSE: Any discussion.

2

3 MR. JOHN: We just took off a few days at  
4 the head of the season and added it on to the end.

5

6 MS. WILKINSON: Mr. Chairman, I'm sorry,  
7 who -- I didn't hear who seconded that?

8

9 MR. JOHN: Fred and Fred.

10

11 CHAIRMAN LOHSE: Okay, while we're under  
12 discussion, Fred, I seem to hear from you a little  
13 misunderstanding. We haven't taken anything off the  
14 front of the season this way.

15

16 MR. JOHN: Oh, we didn't?

17

18 CHAIRMAN LOHSE: No. By going to October  
19 21st, we stayed with where the season was so if your  
20 intention was.....

21

22 MR. JOHN: Oh, no, no, I'll -- okay.

23

24 CHAIRMAN LOHSE: .....to shorten the  
25 season at the front and extend it at the back.....

26

27 MS. WELLS: That's not what he did.

28

29 CHAIRMAN LOHSE: That wasn't the  
30 intention?

31

32 MS. WELLS: No, that's not what he did.

33

34 CHAIRMAN LOHSE: Oh, okay.

35

36 MS. WELLS: He.....

37

38 MR. JOHN: I was thinking that way.

39

40 CHAIRMAN LOHSE: That's what I heard you  
41 thinking.

42

43 MR. JOHN: Yeah.

44

45 CHAIRMAN LOHSE: But we can leave it this  
46 way.

47

48 MR. JOHN: I'll leave it that way.

49

50 CHAIRMAN LOHSE: Okay.

00126

1 MS. WILKINSON: So, Mr. Chair, what we've  
2 done is the regular season is from October to March so  
3 what we've done is we've kept the start of the season and  
4 just extended it 20.

5  
6 CHAIRMAN LOHSE: Yeah, we extended it 20  
7 days.

8  
9 MS. WILKINSON: Okay.

10  
11 MR. DEMENTI: Yes, 20 days.

12  
13 MS. WELLS: So the October, November  
14 possibilities are still in this picture as well as  
15 extending the possibility in the spring hunt.

16  
17 CHAIRMAN LOHSE: Right.

18  
19 MS. WELLS: And then that should -- that  
20 definitely covers the CRNA.

21  
22 MR. JOHN: CRNA.

23  
24 CHAIRMAN LOHSE: Uh-huh.

25  
26 MS. WELLS: Okay, thank you.

27  
28 CHAIRMAN LOHSE: And that may offset some  
29 of the loss that we have in October, November because of  
30 the lack of antlerless bulls during that time period.  
31 See this is an antlerless hunt only.

32  
33 MS. WELLS: Right. Right.

34  
35 CHAIRMAN LOHSE: Okay. Okay, motion's on  
36 the table, more discussion. MR. Churchill.

37  
38 MR. CHURCHILL: Yeah. I guess I'm  
39 starting to get concerned. We have a herd who's had a  
40 history of population decline that seems to be headed the  
41 right direction now and what we're doing is maintaining  
42 essentially the season we've had in the past and then  
43 adding another 20 days when the herd might be the most  
44 vulnerable to hunter pressure and that concerns me.  
45 Because I'm kind of sitting here listening to the  
46 testimony of wounding loss rate, that's when the cows are  
47 going to probably be most accessible even though they may  
48 not be targeted and we're adding another 20 days to the  
49 season. I'm a little worried about the impact it may  
50 have to the herd growth and return. We've heard from

00127

1 ADF&G when they hit that minimum population target, they  
2 want to reopen it as far as either sex.

3

4 I don't know, I mean that, along with  
5 Paxson who has said that if there's any concern about  
6 this stopping the growth of the herd, they're certainly  
7 not in favor. All the public comment we've had, if my  
8 notes are correct, has been against changing this and  
9 opening it up. So I'm just real hesitant that we're  
10 going to have a negative impact that's actually going to  
11 hurt the users we're trying to benefit.

12

13 CHAIRMAN LOHSE: Fred.

14

15 MR. ELVSAAS: You know, that's possible.  
16 But on the other hand if we can eliminate the wanton  
17 waste of cows, you shoot a cow, you use the cow. I think  
18 it balances it out pretty nice.

19

20 I really think it's a sad situation when  
21 we have hunters out there that really want to be legal  
22 but for whatever reason they shoot a cow by mistaken  
23 identification or whatever and then they leave it. So I  
24 would rather leave the hunters take the cow and utilize  
25 it than leave it. So I think it balances out, I hope it  
26 does.

27

28 CHAIRMAN LOHSE: I'd like to make a  
29 comment, Bob, on one of your concerns. I have just the  
30 opposite concern. I look at what we just did right here  
31 from October to April and I see us having cut down hunter  
32 opportunity by quite a bit. Because we've just taken the  
33 month of October and November where there are very few  
34 bulls that are antlerless, December you start picking up  
35 a few more, January you pick up a few more, February more  
36 yet, by March and April, most of the bulls, you know,  
37 drop their horns except for the young ones. So what  
38 you've done is you've actually -- you've made it so  
39 nobody during that time period will be taking illegal  
40 cows because they have to take an antlerless moose.  
41 You've cut down the opportunity to take -- I mean  
42 antlerless caribou. You've cut down the opportunity to  
43 take caribou in October and November, December, January,  
44 so in the end I'll be surprised if we don't have a net  
45 loss instead of a net gain. But that's -- but that's a  
46 chance worth taking to see how it will work out. Because  
47 at least the caribou that will be taken will be bull  
48 caribou.

49

50 Mr. Churchill.

00128

1 MR. CHURCHILL: Yeah, I guess part of  
2 that point was, if I remember the testimony right was  
3 that the most effective breeding bulls loose -- in fact  
4 lose their antlers first and they're losing them in that  
5 October/November time period. And there's always been a  
6 concern about taking the big breeding bulls out of the  
7 population and then reduce productivity, reduce genetic  
8 stock, that's part of my concern. I mean this is a real  
9 mixed bag and I don't doubt anybody's motivation trying  
10 to do the right thing by the local folks so.....

11  
12 CHAIRMAN LOHSE: Susan.

13  
14 MS. WELLS: I was just going to say that  
15 -- you know, we haven't taken out the -- for Ann,  
16 actually, her question, we have not taken out the August  
17 to September 30th?

18  
19 CHAIRMAN LOHSE: No.

20  
21 MS. WELLS: And all we've done is  
22 extended the 20 days in the spring and you know the Fish  
23 and Game was saying that it may be restrictive to users  
24 but we're also providing the grace to an accidental shoot  
25 which is something that the locals are wanting in that  
26 area plus they're wanting the spring hunt and even the  
27 spring hunt is -- because it's antlerless we're  
28 protecting the cow.

29  
30 And then I have to go back to that 2,500  
31 divided by two and then the percentage of those that  
32 actually go out and catch their take. So I would support  
33 this.

34  
35 CHAIRMAN LOHSE: Any other discussion on  
36 the amendment that's on the table. Bob.

37  
38 MR. CHURCHILL: Yes, more of a question.  
39 Are we using a rough number for a number of permits  
40 versus number of success? I mean what percentage of  
41 permit holders fulfill their permits, about 25 percent or  
42 so?

43  
44 CHAIRMAN LOHSE: You mean fill both of  
45 them or fill a single one?

46  
47 MR. CHURCHILL: Both -- I bet we have  
48 somebody that can tell us that.

49  
50 MS. DEWHURST: Well, just last year,



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1 there's two -- it's divided into two hunts and if you  
2 average the two the percent of successful hunters is  
3 about 12 percent.

4

5 MS. WELLS: What did you say?

6

7 MS. DEWHURST: 12 percent.

8

9 MS. WELLS: Of successful hunts?

10

11 MS. DEWHURST: Uh-huh. Meaning they got  
12 at least one caribou.

13

14 CHAIRMAN LOHSE: Right.

15

16 MR. BRELSFORD: Mr. Chairman.

17

18 CHAIRMAN LOHSE: Yes.

19

20 MR. BRELSFORD: On this same point, I  
21 think it might be more helpful to say that out of an  
22 average, a pretty steady average of 2, 500 permits per  
23 year, the harvest has been about 290 or 300 animals,  
24 reasonably stable over that same nine year period. So  
25 that's about the same percentage that Donna's looking at  
26 but that gives you some -- the figures in terms of the  
27 actual harvest.

28

29 MS. DEWHURST: Actually that's not  
30 correct. The number of permits issued jumped  
31 considerably -- I was trying to find it in the report  
32 when we changed the C&T.

33

34 MR. BRELSFORD: Right, there years ago.

35

36 MS. DEWHURST: Yeah, that's where we got  
37 the 25. So it used to be a lot less permits issued is  
38 the bottom line. The number of permits increased  
39 significantly when we changed the C&T a couple of years  
40 ago.

41

42 CHAIRMAN LOHSE: To allow 20 -- whatever,  
43 we allowed 20(D) or whatever it was into it. Okay, with  
44 that, we have an amendment on the table to amend the  
45 season from October 21st to April 20th. Do I hear any  
46 more discussion on that amendment?

47

48 MS. WELLS: Question.

49

50 CHAIRMAN LOHSE: Question's been called.

00130

1 All in favor of the amended winter season, October 21st  
2 through April 20th signify by saying aye.

3

4 IN UNISON: Aye.

5

6 CHAIRMAN LOHSE: All opposed signify by  
7 saying nay.

8

9 MR. CHURCHILL: Nay.

10

11 CHAIRMAN LOHSE: Motion carries. Would  
12 you like to.....

13

14 MR. CHURCHILL: Yeah, my concern is by  
15 making it an antlerless hunt in that October/November  
16 period we may be taking an inordinate number of breeding  
17 bulls -- big breeding bulls out of the population,  
18 otherwise I have no problem with it.

19

20 CHAIRMAN LOHSE: Okay. So now we have  
21 two caribou by Federal registration permit, however, only  
22 one may be a cow taken in the fall season and only  
23 antlerless caribou may be taken in the winter seasons,  
24 August 10th through September 30th, October 21st through  
25 April 20th.

26

27 MR. ELVSAAS: Mr. Chairman, do you -- I  
28 am the Chair now?

29

30 CHAIRMAN LOHSE: Yes.

31

32 MR. ELVSAAS: Thank you.

33

34 CHAIRMAN LOHSE: Mr. Chairman, may I  
35 offer an amendment?

36

37 MR. ELVSAAS: You wish to amend the  
38 motion as amended?

39

40 CHAIRMAN LOHSE: I wish to amend the  
41 motion. I wish to leave the amendment that's there and  
42 add an additional amendment.

43

44 MR. ELVSAAS: Okay, what is the  
45 amendment?

46

47 CHAIRMAN LOHSE: I would like to amend  
48 this proposal, since our idea is to protect -- and I'll  
49 give some justification. Our idea is to protect people  
50 from inadvertently taking a cow in the fall season but

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1 not to have them target a cow. I would like to amend  
2 this proposal that if a cow is taken in the fall season,  
3 their hunting season's over for the year, that one cow  
4 equals their hunting bag limit for the year. And in  
5 order to facilitate that, because somebody could say they  
6 took a bull first on the day and a cow later, I would  
7 like to have as part of that amendment, that only one  
8 caribou may be taken per day.

9

10 MR. CHURCHILL: Second for purposes of  
11 discussion.

12

13 CHAIRMAN LOHSE: Thank you.

14

15 MR. ELVSAAS: It's been moved and  
16 seconded. Did you get that Ann

17

18 MS. WILKINSON: Uh-huh.

19

20 CHAIRMAN LOHSE: Wold you like my  
21 explanation?

22

23 MR. ELVSAAS: You made the motion but --  
24 yes. You've been speaking to the motion already before  
25 the second.

26

27 CHAIRMAN LOHSE: Yeah.

28

29 MR. ELVSAAS: Now, it's been seconded,  
30 your comments please.

31

32 CHAIRMAN LOHSE: Oh, okay. Again, like I  
33 said, I would like to prevent as much inadvertent cow  
34 taking as possible. And while it's possible to say that  
35 you took -- if you shoot two animals it's possible to say  
36 you took the bull first and the cow second. One way to  
37 stop that would be to allow only one animal to be taken  
38 per day. You still have a two bag limit for the season  
39 but one per day. And if you have a cow, your season's  
40 over.

41

42 MR. ELVSAAS: I understand what you're  
43 saying but you must realize that if you take the bull  
44 first you're still eligible to take a cow, right?

45

46 CHAIRMAN LOHSE: Right. But not on the  
47 same day.

48

49 MR. ELVSAAS: No, but the next day.

50

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1 CHAIRMAN LOHSE: Yeah.

2

3 MR. ELVSAAS: Or the subsequent day.

4

5 CHAIRMAN LOHSE: Yeah. That's true.

6

7 MR. ELVSAAS: So it doesn't prohibit you  
8 from getting a cow and a bull but it is a limiting  
9 factor.

10

11 CHAIRMAN LOHSE: Right.

12

13 MR. ELVSAAS: Okay, thank you, Mr.  
14 Churchill.

15

16 MR. CHURCHILL: I have no comments, I  
17 just wanted to hear the motion. I've heard what I need  
18 to hear.

19

20 MR. ELVSAAS: Did you want to speak? Any  
21 other comments.

22

23 MR. JOHN: Please explain it one more  
24 time, I'm kind of slow.

25

26 CHAIRMAN LOHSE: No, you're not.

27

28 MR. CHURCHILL: It's late in the day.

29

30 MR. ELVSAAS: You got us this far, you're  
31 not slow.

32

33 CHAIRMAN LOHSE: In order to try to limit  
34 the take of cows and like he says, it doesn't limit  
35 somebody -- if they take a bull first it doesn't limit  
36 them from taking a cow in the fall season.

37

38 MR. JOHN: Okay.

39

40 CHAIRMAN LOHSE: So that accidentally you  
41 don't take two animals and one of them was a cow and one  
42 of them was a bull on the same day, one caribou per day  
43 and if a cow is taken prior to taking the bull your  
44 season's over.

45

46 In other words, if you take a cow first,  
47 you have a one -- you're allowed the one caribou. If you  
48 take the bull first.....

49

50 MR. ELVSAAS: During the fall hunt.

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1 CHAIRMAN LOHSE: In the fall hunt.

2

3 MR. ELVSAAS: I think we should preface  
4 that with saying, during the fall hunt.

5

6 CHAIRMAN LOHSE: Right.

7

8 MR. ELVSAAS: And then.....

9

10 CHAIRMAN LOHSE: The spring hunt is  
11 antlerless only.

12

13 MR. ELVSAAS: Right.

14

15 MR. JOHN: Okay.

16

17 MR. ELVSAAS: Further comments.

18

19 MS. WELLS: I'll call the question.

20

21 MR. ELVSAAS: Question's been called.

22 All in favor of the amendment say aye.

23

24 IN UNISON: Aye.

25

26 MR. ELVSAAS: Opposed, same sign.

27

28 (No opposing votes)

29

30 MR. ELVSAAS: Motion passes. The gavel  
31 passes.

32

33 (Laughter)

34

35 CHAIRMAN LOHSE: Okay. Now, we have a  
36 motion with two amendments on the table, the motion  
37 reads, two caribou by Federal registration permit,  
38 however, only one may be a cow taken in the fall season.  
39 If a cow is taken first the season is over. Only one  
40 caribou may be taken per day and only antlerless caribou  
41 may be taken in the winter season. The season is August  
42 10th through September 30th, October 21st through April  
43 20th.

44

45 MR. ELVSAAS: Question.

46

47 CHAIRMAN LOHSE: Question's been called.  
48 All in favor of the motion as amended signify by saying  
49 aye.

50

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1 IN UNISON: Aye.

2

3 CHAIRMAN LOHSE: All opposed signify by  
4 saying nay.

5

6 MR. CHURCHILL: Nay. Same reason as on  
7 the amendment.

8

9 CHAIRMAN LOHSE: And motion carries.  
10 Okay.

11

12 MR. BRELSFORD: I wonder if we could ask  
13 for a clarification about the intention of the motion,  
14 the geographic application? The CRNA motion focused on  
15 subunits 13(A) and 13(B), however, the Nelchina Caribou  
16 Herd does range in other parts of the region and there  
17 are a small number of Federal lands, a small portion of  
18 Federal lands in 13(C). The write up that was prepared  
19 for you by the BLM does refer to 13(A) and (B) but I  
20 wonder if the intention of the motion is more general to  
21 look at 13 -- Unit 13 Nelchina caribou, that is, to say  
22 to go back to the kind of geographic structure of  
23 Nelchina management that is in the current regulations.  
24 So I believe it's simple enough to say that if that's the  
25 intention of the motion we can clarify that on the  
26 record, that we intend to manage Nelchina caribou in Unit  
27 13 in a unified fashion based on the seasons and harvest  
28 limits that you've just adopted.

29

30 CHAIRMAN LOHSE: Taylor, I think when we  
31 look at what we replaced, what was the original proposal  
32 that was on the table, it applied to Units 13(A) and (B)  
33 Nelchina caribou. And since we were replacing it with  
34 the other one, it applies to Nelchina caribou, Units  
35 13(A) and (B).

36

37 MS. DEWHURST: Proposal 16 was for all of  
38 Unit 13, the original proposal was for all of 13. 17 is  
39 (A) and (B). 16 is all of 13, 17 is (A) and (B).

40

41 CHAIRMAN LOHSE: It's all of 13, right.  
42 You're right. So it's all of 13. We just read the top  
43 part wrong.

44

45 MR. BRELSFORD: Thanks. That's the  
46 clarification we needed and I apologize for the rookie  
47 errors in this.

48

49 CHAIRMAN LOHSE: Okay.

50

00135

1 MS. WELLS: Mr. Chair, I think we should  
2 probably make that clarification for the record.

3  
4 CHAIRMAN LOHSE: Okay.

5  
6 MS. WELLS: That the intent of the last  
7 motion was to encompass Unit 13 in its entirety.

8  
9 CHAIRMAN LOHSE: Would you so move.

10  
11 MS. WELLS: I so move.

12  
13 CHAIRMAN LOHSE: Do I hear a second.

14  
15 MR. CHURCHILL: Second.

16  
17 CHAIRMAN LOHSE: It's been moved and  
18 seconded that that last proposal was to cover Unit 13 in  
19 its entirety.

20  
21 MR. JOHN: Question.

22  
23 CHAIRMAN LOHSE: Question's been called.  
24 All in favor signify by saying aye.

25  
26 IN UNISON: Aye.

27  
28 CHAIRMAN LOHSE: All opposed signify by  
29 saying nay.

30  
31 (No opposing votes)

32  
33 CHAIRMAN LOHSE: Motion carries. That  
34 should clarify it pretty good. Okay, now, we're going on  
35 to Proposal 17. Donna, are you introducing this one?

36  
37 MS. DEWHURST: Uh-huh.

38  
39 CHAIRMAN LOHSE: Okay.

40  
41 MS. DEWHURST: Proposal 17 is for 13(A)  
42 and (B) only, to clarify right up front.

43  
44 CHAIRMAN LOHSE: Unit 13(A) and (B) only.

45  
46 MS. DEWHURST: And that was a  
47 clarification by CRNA. So basically if you go to Map 1  
48 on Page 37, we're talking primarily the BLM lands. There  
49 is a really tiny, tiny portion of Wrangell-St. Elias, so  
50 tiny that it doesn't hardly even show up on the map -- on

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1 this scale we printed, but 99.9 percent of the lands  
2 we're dealing with are BLM and they show up on the map.

3  
4 This proposal is to close Federal public  
5 lands to non-Federally-qualified users during both the  
6 caribou and the moose season. It was done also by CRNA.  
7 And let's see, I'm going to kind of -- just because we've  
8 been -- it's been a long day, I'm going to kind of cut to  
9 the chase on this one and skip to the Staff  
10 recommendation and then back up the different aspects of  
11 it.

12  
13 Basically on the Staff recommendation,  
14 what I went to was back to ANILCA and looked at when the  
15 Federal Subsistence Board may make or direct a  
16 restriction to non-Federally-qualified users. And if you  
17 look on Page 45, I did the exact quota out of ANILCA  
18 saying basically there are three reasons why we can --  
19 the Federal Subsistence Board can restrict public lands  
20 to non-Federally-qualified users. And those three things  
21 are to assure the continued viability of a fish or  
22 wildlife population; to assure the continued subsistence  
23 uses of a particular fish or wildlife population and the  
24 last reason is for reasons of public safety and/or  
25 administration. Those are directly out of ANILCA.

26  
27 So based on those three, under the  
28 justification, I took each one individually and said, do  
29 we or do we not meet this qualification.

30  
31 The first one was viability of caribou or  
32 moose populations. And the issue there wasn't are the  
33 populations viable or not. We've already talked about  
34 the caribou situation. The moose situation is also in  
35 decline. But the issue was would what is being proposed  
36 do anything to assure the viability of the population.  
37 And the -- when I looked at it, it's like, well, closing  
38 Federal public lands would not lessen the overall harvest  
39 so it would not do anything to assure the viability of  
40 the populations, in either case, of caribou or moose. So  
41 I felt like in the case of the first point, this proposal  
42 would not meet that criteria.

43  
44 The second criteria which is probably the  
45 most viable of the three is would the proposal assure the  
46 continued subsistence uses of the resource, namely  
47 caribou and moose? And that is generally what the  
48 proponent is asking or what the proponent is using as  
49 their justification is that that's why they're saying  
50 it's necessary. They're not saying it's necessary to



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1 support conservation of the resource, they're saying it's  
2 necessary to support their use of the resource.

3

4 And I'll take this -- I'll take caribou  
5 first and then we'll deal with moose because they're two  
6 very separate issues. On caribou, if you go back to  
7 Figure 1, which is Page 43 of this tab section it very  
8 nicely illustrates the issue of competition for caribou.  
9 The lighter colored shading is the number of State  
10 hunters, caribou hunters and the darker shading is the  
11 Federal. And this is what I was explaining when Taylor  
12 was saying the number of permits has been fixed, it  
13 hasn't been fixed because we did change the C&T a couple  
14 years back. So that jump where it was 800, 800 and, you  
15 know, then it jumped, that jump was relative to the  
16 change in C&T. So the amount of Federal persons did  
17 increase, while at the same token the State hunters took  
18 a nosedive and that's basically because they went to Tier  
19 II and they're only issuing 2000 Tier II permits versus  
20 it was, basically a wide open hunt and we're dealing with  
21 16,000 hunters and now we're dealing with 2,000 hunters.  
22 So the issue here was competition and is there a valid  
23 argument that competition is increasing. And when you  
24 look at this graph, if it is increasing it's increasing  
25 among Federal users, among our own Federal user group,  
26 it's not increasing because of State hunters. And the  
27 State hunters that are out there right now are all  
28 subsistence hunters but they're hunting under the State  
29 system.

30

31 So that's the first point that I looked  
32 at.

33

34 So with that it was like, well, closing  
35 Federal public lands as far as caribou really wouldn't do  
36 anything to alleviate that situation because you're still  
37 going to be dealing with 2,000 State hunters and an  
38 increase in the Federal hunters. Closing Federal public  
39 lands probably wouldn't do anything to benefit the  
40 subsistence user on Federal public land as far as the  
41 caribou were concerned.

42

43 The moose gets a little bit more  
44 complicated but I was looking at how the competition goes  
45 with moose. Table 2 shows the number of Federal  
46 registration permits that have been issued for moose and  
47 you'll notice that also has gone up significantly with  
48 changes in the C&T. It's doubled, basically from the  
49 1996 period where I started looking at the numbers to the  
50 current present day. So our own system has created twice

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1 as much competition among our own users. So it would be  
2 fair to say that on Federal public lands there is more  
3 competition, yes, our system created it.

4

5 The interesting thing or at least I  
6 thought it was interesting, was, when you look at the  
7 number of moose harvested it remained remarkably  
8 consistent despite the fact that twice as many people are  
9 getting permits. The number of moose harvested has  
10 stayed about the same. And if you look at the hunter  
11 success rates they have stayed remarkably consistently  
12 despite the fact that twice as many people are getting  
13 permits. So it leads me to believe that there hasn't  
14 really been a decrease in the availability in one  
15 individuals ability to get a moose has remained about the  
16 same. I mean looking at the numbers. And the reason I  
17 didn't put this years in is we have some preliminary  
18 results but they're not final so I didn't want to mislead  
19 people with numbers that weren't final numbers but the  
20 indication is that it's going to fall right in the same  
21 range. So there's no -- it doesn't look like it's going  
22 to be an unusual year.

23

24 So looking at that I was like, well, it  
25 doesn't look like there's a real problem with success  
26 rate. Success rates are staying about the same. We  
27 don't have any indication that the number of State  
28 hunters has gone out, looking at the reported State  
29 hunters either. And the way the regulations are written  
30 right now, a Federal subsistence moose hunter has some  
31 distinct advantages already written into the system.  
32 They can start 15 days prior to the State season. They  
33 have a 15 day lead right now. And then the more recent  
34 change is that the State regulations went from three  
35 brow-tines to four brow-tines. That's pretty  
36 significant. That eliminates about half of the bulls.  
37 So of the antler bulls that are of decent size, going  
38 from three to four brow-tines eliminates a significant  
39 number of the available bulls where under the Federal  
40 subsistence season we didn't follow through with that  
41 same restriction. So our Federal subsistence hunters  
42 aren't under that. So they already have some pretty  
43 distinct advantages over the local State hunters as far  
44 as the regulations.

45

46 So that was something I considered.

47

48 So that was with moose.

49

50 And then the last aspect, which I hadn't

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1 in all honesty, hadn't thought of but somebody else  
2 brought to my attention is, any time we close Federal  
3 public lands, especially when Federal public lands are  
4 remote and small, you always run the risk of displacing  
5 State hunters closer to communities. Because the  
6 communities tend to not have Federal public lands around  
7 them, just the way the selections occurred. Communities  
8 tend to have State lands -- State-managed lands around  
9 them so when you close Federal public lands that are  
10 remote, you run the risk of displacing folks -- the  
11 hunters, the State hunters to areas that actually might  
12 be closer to Glennallen, you know, closer to where people  
13 live. And like I mentioned, that wasn't something I even  
14 thought of but it was brought up as a point. It's not  
15 definitive but it is a risk and it could be a negative  
16 impact to local users.

17

18                   So based on all those aspects I just  
19 mentioned, my feeling was that the proposal didn't do  
20 anything significant to say that we're doing -- continued  
21 subsistence users, it didn't -- closing Federal public  
22 lands really wouldn't change the competition, I guess, is  
23 what I'm saying. I didn't feel like it's really going to  
24 make any significant difference in the competition when  
25 you look at the hard numbers.

26

27                   So then I went to the last one and the  
28 last one was kind of obvious is that the public safety or  
29 administration. And there's no real public safety  
30 concerns at all so that one was kind of obvious. And as  
31 far as administration, if anything, closing Federal  
32 public lands would create administration problems. It's  
33 already been discussed today that a lot of the violations  
34 that occur are already occurring because of the make up  
35 of State and Federal lands. If we close Federal public  
36 lands it would create that much more potential for  
37 violations for our users. Not even so much for -- well,  
38 really for both but primarily for the State users because  
39 if they hunted on Federal lands they would be in  
40 violation but that would force more enforcement on  
41 Federal lands to make sure the State users weren't on  
42 there. So it probably would actually force a higher  
43 presence on Federal public lands which may or may not be  
44 a negative impact to our users.

45

46                   So based on those things I couldn't see  
47 anything under the ANILCA guidance to justify supporting  
48 the closure, the Federal public lands closure. So the  
49 Staff conclusion at this point was to oppose the proposal  
50 and stay with the status quo.

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1                   CHAIRMAN LOHSE: Any questions for Donna.  
2 Thank you, Donna. Alaska Department of Fish and Game  
3 comments.

4  
5                   MR. HAYNES: Thank you, Mr. Chairman.  
6 The Department opposes this proposal. Our written  
7 comments on the proposal appear on Page 48 of your book.  
8 Donna has very eloquently provided justification for not  
9 instituting a closure of Federal public lands. And I  
10 don't think I could offer much more that is relevant.

11  
12                   I would point out that on Page 36 in part  
13 of the discussion for the reason for this proposal,  
14 there's an incorrect number and it's in the second  
15 paragraph on Page 36, that the State issues 1,500 Tier II  
16 permits for the moose hunt and, in fact, the State issues  
17 150 Tier II permits most of which are issued to Unit 13  
18 residents.

19  
20                   So that concludes our comments.

21  
22                   CHAIRMAN LOHSE: I had a question on  
23 that. Terry, if we go over there to Page 44. On 42 we  
24 have a table that shows the total harvest and the percent  
25 of Federal harvest for caribou but on moose we don't have  
26 anything like that. I was just wondering if we had any  
27 idea for like 2001 what was the total -- or 2000, let's  
28 go back that far, what was the total harvest on moose,  
29 what percentage of them were taken by Federal subsistence  
30 users.

31  
32                   MR. HAYNES: Mr. Chairman, the Federal  
33 Staff prepared this analysis.

34  
35                   CHAIRMAN LOHSE: I know.

36  
37                   MR. HAYNES: I can tell you I don't  
38 believe the State harvest reporting, the compilation of  
39 those data has been completed yet.

40  
41                   MS. DEWHURST: '99 is the most current.

42  
43                   MR. HAYNES: If there is more current  
44 information available before the Board meeting we'll try  
45 to have that but I don't think it's been completed yet.

46  
47                   CHAIRMAN LOHSE: Bob.

48  
49                   MR. CHURCHILL: Is there somebody else  
50 here that might have an educated guess, Brad?

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1                   MR. DEWHURST: I can give you '98/99  
2 figures. That's the most recent the State has done.  
3 That would give you a rough percentage on what's going  
4 on, too, and Brad can correct if he has more up to date.  
5 But in '99, under the Federal system there were 67 moose  
6 taken and under the State system -- that can't be the  
7 total -- yeah, you better go because I don't think this  
8 computer printout is right.

9  
10                  MR. SCOTTEN: Mr. Chairman, I didn't  
11 bring my moose data with me. I was thinking more in  
12 terms of the caribou discussions but I was asked to make  
13 an educated guess and this will be an educated  
14 guesstimate from my memory. But the moose population is  
15 declining fairly substantially in 13. The State has  
16 gotten more and more restrictive every year. The State  
17 harvest has been declining every year. This year's 2001  
18 preliminary sort of best guess for right now, we don't --  
19 this number will not be final until probably the end of  
20 summer, in the neighborhood of 450 bull moose total.  
21 Last year I think it was in the neighborhood of 600.  
22 Actually probably a little less than that. So that would  
23 put the Federal harvest in the -- and that's State sport,  
24 Tier II combined, those numbers I gave you. So that  
25 would put the Federal harvest in the neighborhood right  
26 now of close to 10 percent of the total harvested moose.  
27 And that's just off that very small portion of Federal  
28 land.

29  
30                  MR. CHURCHILL: Thank you.

31  
32                  CHAIRMAN LOHSE: Thank you muchly. Okay,  
33 any questions for Terry.

34  
35                  MR. JOHN: Terry, that decline in the  
36 total moose from 600 to 400 is a restriction on the  
37 antlers and stuff, right? I mean, you know, what, the  
38 year before it was 600 and then it went down to 400, that  
39 would be the restriction the State put on the antlers  
40 from three tine to four?

41  
42                  MR. HAYNES: Yes.

43  
44                  MR. JOHN: Yeah.

45  
46                  MR. HAYNES: That would certainly account  
47 for part of it at least.

48  
49                  CHAIRMAN LOHSE: Yeah. Terry, when I'm  
50 looking at this one here it says to go three brow-tines

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1 to four brow-tines, effectively eliminates about half of  
2 the antlered bulls from the legally huntable population,  
3 do you think that's a reasonable estimate, that it cuts  
4 it in half?

5

6 MS. DEWHURST: It came from Bob Tobey.

7

8 MR. HAYNES: Yes, Mr. Chairman.

9

10 CHAIRMAN LOHSE: Wow. And that applies  
11 to all State land, whether it's a Federal hunter or a  
12 State hunter, right, that four brow-tines?

13

14 MR. HAYNES: That restriction applies to  
15 the State.....

16

17 CHAIRMAN LOHSE: Land.

18

19 MR. HAYNES: .....the State regulations.

20

21 CHAIRMAN LOHSE: Right.

22

23 MR. HAYNES: It does not apply to the  
24 Federal regulations.

25

26 CHAIRMAN LOHSE: Okay. Fred.

27

28 MR. JOHN: Donna, what you said was that  
29 this CRNA proposal, you already think everything is  
30 already in place and it shouldn't go through, that's why  
31 it was declined, all the different reasons that you said?

32

33 MS. DEWHURST: Yeah, basically I looked  
34 at what ANILCA says on when we can restrict Federal  
35 public lands and it appears that none of the three  
36 criteria would be met.

37

38 MR. JOHN: Yeah, that's what I was going  
39 to ask.

40

41 MS. DEWHURST: Okay.

42

43 MR. JOHN: It has not met any of the  
44 ANILCA criteria?

45

46 MS. DEWHURST: Yeah. From appearances,  
47 to me, it did not meet any of the three criteria under  
48 ANILCA.

49

50 MR. JOHN: That's what I thought, thank

00143

1 you.

2

3 CHAIRMAN LOHSE: Okay, do we have any  
4 Fish and Game Advisory Committee comments? Summary of  
5 written public comments.

6

7 MS. WILKINSON: Mr. Chair, the Eastern  
8 Interior Regional Advisory Council opposes this proposal  
9 by a vote of 5-2, and the two is absent.

10

11 CHAIRMAN LOHSE: The two were absent?

12

13 MS. WILKINSON: Uh-huh.

14

15 CHAIRMAN LOHSE: Okay.

16

17 MS. WILKINSON: As recommended by the  
18 preliminary Staff conclusion. So the five members that  
19 were present voted against it.

20

21 MR. JOHN: Which.....

22

23 CHAIRMAN LOHSE: Eastern Interior.

24

25 MS. WILKINSON: Excuse me? Eastern  
26 Interior. The Paxson Fish and Game Advisory Committee  
27 opposes this because it would make two classes of hunters  
28 and be an enforcement nightmare.

29

30 The Wrangell-St. Elias Resource  
31 Commission opposes Proposal 17 because it does not  
32 provide a significant advantage to the subsistence user  
33 and creates a difficult law enforcement situation.

34

35 The Denali Subsistence Resource  
36 Commission wrote in support of Proposal 17 and stated  
37 that moose numbers are very low and decreasing in Unit 13  
38 so the hunt should be limited to Federally-qualified  
39 users only.

40

41 Those are all the comments.

42

43 CHAIRMAN LOHSE: Thank you. At this  
44 point in time we don't have anybody that has requested  
45 public testimony on this proposal. Do we have anybody in  
46 the audience that I'm missing on that. Hearing none,  
47 it's time for the Regional Advisory Council to go into  
48 deliberations. A motion is in order to -- we found out  
49 we can make out a motion to accept or reject proposals,  
50 so a motion is in order.

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1 MR. CHURCHILL: Can I ask for a  
2 clarification before we move into a motion?

3  
4 CHAIRMAN LOHSE: Yes.

5  
6 MR. CHURCHILL: I'm understanding, if  
7 I've read everything I've been sent properly, that we  
8 are, in fact, controlled as a Regional Advisory Council  
9 by ANILCA rules and regulations; is that not correct?

10  
11 CHAIRMAN LOHSE: Right.

12  
13 MR. CHURCHILL: I guess consistent with  
14 my understanding of what the Chair is asking for, then I  
15 make a motion that we reject Proposal 17 based on the  
16 fact that if we can't qualify under the ANILCA criteria  
17 that we're bound by as an Advisory Council.

18  
19 CHAIRMAN LOHSE: Do I hear a second?

20  
21 MR. ELVSAAS: I have question first. I  
22 understand, you know, that you can accept or reject but  
23 if you reject the proposal are you offering something in  
24 place of it or just refusing to act? You know, it's  
25 awkward at best, it should be positive.

26  
27 CHAIRMAN LOHSE: A motion in the positive  
28 usually works better.

29  
30 MR. ELVSAAS: Yeah. I think then if we --  
31 then the question comes up, under the rules, if you make  
32 a motion in a positive you have to vote yes for the  
33 motion.

34  
35 CHAIRMAN LOHSE: No.

36  
37 MR. ELVSAAS: See, there's always  
38 that.....

39  
40 CHAIRMAN LOHSE: No, you don't.

41  
42 MR. ELVSAAS: So I think it would be  
43 better if you made the motion.....

44  
45 MR. CHURCHILL: I can withdraw my motion  
46 and change the wording just a tad to vote that we accept  
47 Proposal 17 as written.

48  
49 MR. ELVSAAS: And I would second it.

50



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1 CHAIRMAN LOHSE: Okay, it's been moved  
2 and seconded to accept Proposal 17 as written.  
3 Discussion.

4  
5 Now, see under discussion is when we can  
6 decide whether or not it fits Federally ANILCA law or not  
7 in our minds, because we might not agree with the Staff.  
8 Bob.

9  
10 MR. CHURCHILL: Well, for purposes of  
11 discussion I've listened to Donna and read the language,  
12 I read it when the book -- and based on my limited  
13 understanding of the regulations it certainly appears  
14 that it really doesn't meet the criteria under ANILCA to  
15 support this. Although it's pretty clear that all user  
16 groups that are using 13 to hunt moose and caribou are  
17 frustrated as Mr. Ewan so eloquently put it, there's a  
18 real problem there.

19  
20 CHAIRMAN LOHSE: Thank you, Bob. Any  
21 other discussion. Susan.

22  
23 MS. WELLS: Okay, I just would like it  
24 restated, I guess, to make sure in my mind that I did  
25 hear that the moose population in that area is on the  
26 decline; is that not correct?

27  
28 CHAIRMAN LOHSE: Right.

29  
30 MS. WELLS: But then I also heard the 450  
31 bull moose take from last year was done but that was  
32 attributed to the.....

33  
34 CHAIRMAN LOHSE: Antler restrictions.

35  
36 MS. WELLS: .....antler restrictions. I  
37 just want that clarified.

38  
39 CHAIRMAN LOHSE: Bob.

40  
41 MR. CHURCHILL: My understanding, what  
42 was being testified to that that was in part a reason  
43 that the take was declining, but in addition also the  
44 decline in the general moose population was what I  
45 understood between, you know, the testimony from the  
46 State.

47  
48 CHAIRMAN LOHSE: Donna.

49  
50 MS. DEWHURST: And also keep in mind for

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1 Federal harvest is not declined, it has not declined,  
2 it's basically staying status quo.

3

4 CHAIRMAN LOHSE: Susan.

5

6 MS. WELLS: So to follow up then, this  
7 decline, even though we're increasing the size of the  
8 brow-tine we still have to be concerned about the  
9 viability of that resource then. Because if the moose  
10 population is declining even though we're strengthening  
11 the criteria for taking of bull, isn't this resource  
12 still in jeopardy? I mean don't we still have some major  
13 concerns here.

14

15 MS. DEWHURST: I think you're getting  
16 mixed up. The antler restriction was only on the State  
17 end. That does not apply to Federal subsistence users.  
18 WE have not done anything recently to restrict Federal  
19 subsistence users as far as moose hunting. And the  
20 Federal subsistence moose harvest has remained remarkably  
21 consistent despite twice as many people getting permits  
22 in recent years. So the overall moose harvest has  
23 declined partly because of State restrictions, while at  
24 the same time the Federal harvest has remained  
25 consistent. And so the feeling is if we close Federal  
26 public lands to non-Federally-qualified users, it really  
27 wouldn't impact, at all, the harvest, the overall  
28 harvest. The main impacts to the overall harvest have  
29 been the State restrictions that they've put on their own  
30 users. So the concern was it would do nothing to  
31 contribute to the viability of the moose population which  
32 is the issue. Closing Federal public lands would not  
33 enhance the viability.

34

35 MS. WELLS: Well, I guess I just want to  
36 say that whether Joe Moose is a Federal moose or a State  
37 moose, the entire population is still a concern for.....

38

39 MS. DEWHURST: Correct. It's a concern  
40 but then we have to look at what is being proposed, will  
41 that contribute to conserving the resource or not and  
42 what we're saying is that what is being proposed will not  
43 make any difference as far as the conservation of local  
44 moose populations.

45

46 CHAIRMAN LOHSE: Susan.

47

48 MS. WELLS: Mr. Chair, did we have C  
49 and.....

50

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1 CHAIRMAN LOHSE: CRNA.

2

3 MS. WELLS: CRNA speak to this?

4

5 CHAIRMAN LOHSE: She spoke to it.

6

7 MS. WELLS: She spoke to it and I must  
8 have missed that part.

9

10 CHAIRMAN LOHSE: She supported this as  
11 written. Like she said, this was something that she was  
12 instructed to bring forward and she did. Donna, can I  
13 ask you a question? Basically, what we're saying is  
14 we're saying on the Federal land and that's all that we  
15 deal with, the harvest has remained the same even if the  
16 amount of moose hunters has doubled, so basically what  
17 we're probably doing is we're probably taking all  
18 available moose on that Federal land, all available legal  
19 moose on that Federal land. At the same time the  
20 restrictions on the State land surrounding it have  
21 increased to allow more moose to survive and less moose  
22 to be a huntable part of the population. So there is  
23 nothing we could do to increase the take on Federal land  
24 even if we cut down the amount of hunters on it because  
25 already all of them are being utilized.

26

27 MS. DEWHURST: I think that's a fair  
28 analysis. And actually the State's probably doing more  
29 toward conserving the resource at this point than we are  
30 with their restrictions. What they're doing is  
31 contributing to the overall conservation of the resource  
32 throughout the unit, whether it's Federal or State lands  
33 because they're cutting back on the amount of harvest  
34 that's occurring by their own folks.

35

36 CHAIRMAN LOHSE: And many of those moose  
37 that are illegal on State land if they wander on Federal  
38 land are legal moose?

39

40 MS. DEWHURST: Correct.

41

42 CHAIRMAN LOHSE: Okay.

43

44 MS. WELLS: Except for a State permit  
45 holder.

46

47 CHAIRMAN LOHSE: Except for a State  
48 permit holder, right. And a State permit holder on  
49 Federal land is still restricted to the same legal moose  
50 that he was restricted to on Federal -- or on State land?

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1 MS. DEWHURST: Correct. So if you had a  
2 three brown-tine moose wander onto Federal land the only  
3 one that could legally get it would be a Federal  
4 subsistence user.

5  
6 CHAIRMAN LOHSE: Okay, so currently they  
7 have access to it. Okay. Any further discussion.

8  
9 MR. CHURCHILL: Call for the question.

10  
11 CHAIRMAN LOHSE: Question's been called.  
12 All in favor of Proposal 17 as written signify by saying  
13 aye.

14  
15 (No aye votes)

16  
17 CHAIRMAN LOHSE: All opposed signify by  
18 saying nay.

19  
20 IN UNISON: Nay.

21  
22 CHAIRMAN LOHSE: Motion fails.

23  
24 MR. CHURCHILL: If we could just the  
25 State hunters to run more of those moose over to the  
26 Federal property.

27  
28 CHAIRMAN LOHSE: They do. Okay, let's go  
29 on to Proposal 18 -- it's been withdrawn, so we're going  
30 on to Proposal 19. Pat.

31  
32 MS. PETRIVELLI: Mr. Chairman, my name is  
33 Pat Petrivelli and I'm the anthropologist for the  
34 Southcentral team and I'll be doing the analysis of 19.  
35 19 was submitted by the Wrangell-St. Elias National Park  
36 and it would place into the Subpart D regulations to  
37 allow the take of one moose without a calf in the  
38 Wrangell-St. Elias National Park in either Unit 11 or 12  
39 by two hunters designated by the Mr. Sanford Tribal  
40 Consortium for the annual Batzulnetas Cultural Camp.

41  
42 In the analysis of this -- Batzulnetas  
43 Cultural Camp has applied for six permits in the past six  
44 years and five of them were authorized by the Federal  
45 Subsistence Board and the most recent one was authorized  
46 by the Office of Subsistence Management. The way that  
47 these permits work, it's under a special action for  
48 educational and cultural camps. And on Page 53, it has a  
49 table of the relevant regulations under Subpart D. What  
50 the Park Service asks to do is to replace the issuing of

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1 this permit in Subpart D and then the camp wouldn't have  
2 to request a special action every year.

3

4                   These actions in Table 1 are other  
5 activities that have been put in Subpart D. And, of  
6 those, three of them are for specific activities like  
7 Batzulnetas Camp. The specific activities are the Nulato  
8 Stick Dance and then -- well, activities like that and  
9 then the other activities are just generic or special  
10 ones like an educational permit in Units 1 through 5 for  
11 brown bear -- or I think it's Unit 4, it's just a generic  
12 permit that's authorized.

13

14                   In looking at the analysis, I think it  
15 was a given that the Batzulnetas Cultural Camp would be  
16 issued the permit, what it is is just how it's issued.  
17 And just the administrative procedures, whether people  
18 would send the letter to our office and having us go  
19 through issue -- or having a special action  
20 administrative procedure or having it issued through the  
21 Wrangell-St. Elias National Park office. In looking at  
22 just this recent action that we took March 2001, on Page  
23 57, it shows the regulations that were adopted to  
24 streamline those actions. And that streamline activity  
25 is just that they send us a letter and our office  
26 administers the permit rather than having the Board  
27 involved in these regulations on Page 57. And so those  
28 are the ones in place now.

29

30                   So the analysis was to -- the  
31 recommendation was just to allow the time for these  
32 regulations to be effective and look at that  
33 administrative change on how it would -- to evaluate the  
34 effectiveness of those regulations. So we oppose this  
35 proposal in not having it placed in Subpart D yet and  
36 then just to see if having these streamlining things of  
37 going through the Office of Subsistence Management, to  
38 see how effective that is before we change any  
39 procedures.

40

41                   So that's the recommendation is to oppose  
42 placing this in Subpart D now until we can evaluate using  
43 this new process.

44

45                   CHAIRMAN LOHSE: Pat, so if I'm  
46 understanding you correctly, the new streamline process  
47 was just put in place last year?

48

49                   MS. PETRIVELLI: March of 2001.

50

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1 CHAIRMAN LOHSE: March of 2001.

2

3 MS. PETRIVELLI: Yes.

4

5 CHAIRMAN LOHSE: So it's only had the  
6 opportunity to be used this summer?

7

8 MS. PETRIVELLI: Yes.

9

10 CHAIRMAN LOHSE: It hasn't had any time  
11 to look and see how it works out?

12

13 MS. PETRIVELLI: Uh-huh.

14

15 CHAIRMAN LOHSE: Maybe later on if we've  
16 got anybody here we can ask from the user standpoint how  
17 it has worked out and see if there's any comments there.  
18 Bob.

19

20 MR. CHURCHILL: Yeah, through the Chair,  
21 has anybody talked to CRNA or Gloria about how they feel  
22 about these new regulations and how it matches up with  
23 Proposal 19?

24

25 MS. PETRIVELLI: We didn't talk to CRNA  
26 and I did talk with to the Batzulnetas Cultural Camp and  
27 they would prefer to go right to the Park and get their  
28 permit from the Park. And that's their preference would  
29 be to go right to the Park.

30

31 CHAIRMAN LOHSE: In answer to your other  
32 question, Bob, when Gloria testified, if you remember,  
33 she supported Proposal 19.

34

35 MR. CHURCHILL: She testified in favor of  
36 19, yeah.

37

38 CHAIRMAN LOHSE: So Sue.

39

40 MS. WELLS: Didn't she have an issue  
41 though with the 60 days prior, that was a problem for  
42 them?

43

44 CHAIRMAN LOHSE: That was the problem.

45

46 MR. CHURCHILL: Yes.

47

48 CHAIRMAN LOHSE: Was the time.

49

50 MS. WELLS: So I mean if we're

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1 streamlining things, 60 days, is that going to be taken  
2 up by the Office of Subsistence Management?

3

4 MS. PETRIVELLI: In the evaluation?

5

6 MS. WELLS: (Nods affirmatively)

7

8 MS. PETRIVELLI: I guess the Staff  
9 Committee could consider that since they wanted the time  
10 period to evaluate the effectiveness of these  
11 regulations. So I think they would probably be happy to  
12 consider, you know, how these regulations could be more  
13 streamlined.

14

15 CHAIRMAN LOHSE: Pat, can I ask you a  
16 question, as this proposal is written, this 60 days would  
17 be streamlined. Because what this proposal would do is  
18 place the authority to hand out -- would put the permit  
19 into regulation and place the authority to issue the  
20 permit with the National Park Service, there would be no  
21 60-day waiting period, right?

22

23 MS. PETRIVELLI: As this proposal is  
24 written.....

25

26 CHAIRMAN LOHSE: As this proposal is  
27 written.

28

29 MS. PETRIVELLI: .....there wouldn't be  
30 because -- well, this proposal -- what these regulations  
31 -- what they effect is -- the way the current process  
32 works, if you want an educational or cultural camp  
33 special permit now you apply to the Federal Subsistence  
34 Board for a special action. Now, what these regulations  
35 do is when you apply the second time, then they assume  
36 that we've done the analysis and everything else and when  
37 they do it the second time and as long as they meet this  
38 criteria here, our office will issue them a permit  
39 without having to go to the Board. So -- but that's  
40 meeting these criteria on this page.

41

42 CHAIRMAN LOHSE: And that's with the 60-  
43 day ahead of time?

44

45 MS. PETRIVELLI: Yeah. Yeah.

46

47 CHAIRMAN LOHSE: But as the proposal is  
48 written, this is what I'm trying to get an understanding  
49 of.....

50

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1 MS. PETRIVELLI: Yeah. Yeah.

2

3 CHAIRMAN LOHSE: .....as the proposal is  
4 written.....

5

6 MS. PETRIVELLI: They would just go to  
7 the Park.

8

9 CHAIRMAN LOHSE: .....they would just go  
10 to the Park Service and get the permit without any 60  
11 days ahead of time?

12

13 MS. PETRIVELLI: Yeah.

14

15 CHAIRMAN LOHSE: Now, what would be in  
16 place, the way it's written, to evaluate whether this  
17 cultural camp remains a cultural camp? Would there be  
18 any form of evaluation that would go with receiving of  
19 the permit as this proposal is written?

20

21 MS. PETRIVELLI: No. No, it just places  
22 it in regulation saying that.....

23

24 CHAIRMAN LOHSE: Okay. So in other  
25 words, it would stay in regulation until somebody made a  
26 proposal to take it out of regulation?

27

28 MS. PETRIVELLI: Yes.

29

30 CHAIRMAN LOHSE: Okay.

31

32 MS. PETRIVELLI: And I guess, since every  
33 year we go through the regulatory process. And I don't  
34 know if -- well and I guess the Board would have to  
35 consider that, too.

36

37 CHAIRMAN LOHSE: Somebody would have to  
38 take a proposal to take that off of the books if it was  
39 no longer being used?

40

41 MS. PETRIVELLI: If the cultural camp  
42 wasn't -- or.....

43

44 CHAIRMAN LOHSE: Okay. Mr. Churchill.

45

46 MR. CHURCHILL: Yeah, I guess I'm  
47 struggling to see kind of the down side of Proposal 19  
48 and I just don't see it. I mean I can appreciate wanting  
49 to try these new regulations out and maybe there's  
50 something I'm missing but it seems like we've established



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1 that this, in fact, is a viable reason for ceremonial  
2 purposes, cultural purposes and that this would truly  
3 streamline it where it would cut down the time frame. I  
4 don't think we have any disagreements or concerns about  
5 the validity of issuing it. It just seems like this  
6 would really streamline it and very convenient and I'm  
7 just not understanding why we don't want to do that and  
8 we want to try something that seems to take a significant  
9 amount of time to do, to have 60 days ahead of time. And  
10 I probably just don't understand it, but I'm kind of  
11 struggling with that. It seems the proposal would truly  
12 streamline this thing for a pretty well documented  
13 cultural use of the resource.

14

15 CHAIRMAN LOHSE: Thank you, Bob. Fred,  
16 you got a comment on this one?

17

18 MR. JOHN: How long we had that cultural  
19 camp, Devi, about 10 years? It's been going on 10 years  
20 and we have -- since that time we have a good  
21 relationship, both Mentasta, Chistochina and the Park.  
22 When we have our cultural camp, the Park personnel know  
23 how many people we got there and every year it's almost  
24 all full. We have all the children there, we have over  
25 100 some people there for one week and the Park come in  
26 there and do a one-day workshop with us. You know, they  
27 do a workshop for us for one day. So I believe the camp  
28 is expanding, it's going to get bigger and, you know more  
29 people would be coming in I think. And the problem we  
30 have is going to the Federal Board to get our permit,  
31 it's pretty hard doing 60 days ahead of time, and  
32 sometimes our two villages are real active villages. Our  
33 people are working all the time, they're overworked and  
34 everything and sometimes you forget to put in those --  
35 you know, the moose permit in time and, of course, if we  
36 could get the Park Service, they know us, so what this  
37 came in for is because we wanted to get the permit right  
38 from the Park, there at Slana or Glennallen, you know,  
39 where they issue it anyway. It would be a lot easier on  
40 us.

41

42 It just would be a lot easier and a lot  
43 better because the Park knows us and we know them. Going  
44 to the Federal Board, it's like going to Washington and  
45 asking them for something they don't know about, really,  
46 I don't think they even know what our cultural camp is.

47

48 CHAIRMAN LOHSE: Under these current  
49 streamline regulations that you were talking about here,  
50 they don't go to the Board but they have to go to the

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1 Office of Subsistence Management under the regulations  
2 that you were pointing out in here?

3

4 MS. PETRIVELLI: For the users, pretty  
5 much almost as the same as before, they would write us a  
6 letter and then the Board dealt with it, now they write  
7 us a letter and our office deals with it.

8

9 CHAIRMAN LOHSE: Okay. So it basically  
10 didn't change much from the user standpoint?

11

12 MS. PETRIVELLI: No.

13

14 CHAIRMAN LOHSE: Okay. Susan.

15

16 MS. WELLS: So if the cultural camp went  
17 to the Preserve, right, or the Park?

18

19 CHAIRMAN LOHSE: Park.

20

21 MS. WELLS: The Park to get their permit,  
22 could the Park withhold a permit at any time for any  
23 reason?

24

25 MS. PETRIVELLI: I would think so because  
26 it's a designated permit. While the -- and the cultural  
27 -- and since we have the criteria for what the permit is,  
28 I think it would be like any moose permit, you know, a  
29 hunter has to have certain conditions and so maybe we  
30 could -- maybe we could talk with the Park but I'm sure  
31 whatever criteria, you know, that we would use to issue  
32 it they would use the same issuing -- you know, like when  
33 a hunter goes to get a permit, the same criteria would be  
34 in and the Park would know what criteria those are.

35

36 CHAIRMAN LOHSE: In other words, I think  
37 what you're saying is that if the cultural camp ceased to  
38 exist or ceased to.....

39

40 MS. PETRIVELLI: Then they wouldn't issue  
41 the permit.

42

43 CHAIRMAN LOHSE: .....meet the criteria  
44 that was established then the Park would no longer issue  
45 the permit?

46

47 MS. PETRIVELLI: Yeah.

48

49 CHAIRMAN LOHSE: Okay. Bob.

50

00155

1 MR. CHURCHILL: Under Proposal 19 and I  
2 think Susan brings up a good question, what happens if  
3 the Park denies it, in terms of denies, would there be an  
4 appeal they could make? I don't have any reason to  
5 believe they would I was just kind of curious how the  
6 process works?

7  
8 MS. PETRIVELLI: I know under this  
9 process, the culture camp -- if our office denies the  
10 permit then the camp could appeal to the Board about us  
11 denying it. And I'm not sure if the Park denied it if  
12 that same procedure would be in place but I guess if we  
13 left the conditions the same.

14  
15 CHAIRMAN LOHSE: I would imagine they can  
16 always appeal to the Board because they can always put in  
17 a proposal through us to the Board.

18  
19 MS. PETRIVELLI: Or a special action or  
20 something.

21  
22 CHAIRMAN LOHSE: But now whether they  
23 could do that in sufficient time if the Park denied it  
24 for that year, to get it for that year would be  
25 questionable, so -- okay, Susan.

26  
27 MS. WELLS: So on Page 57 here, the  
28 Office of Subsistence Management 60 days prior, now are  
29 you looking at reducing that time limit or is that  
30 something that the tribe just needs to get used to?

31  
32 CHAIRMAN LOHSE: That's current  
33 regulation.

34  
35 MS. PETRIVELLI: This is what the current  
36 regulation says and I guess during the evaluation process  
37 we could consider changes.

38  
39 MS. WELLS: So this is actually for a new  
40 application?

41  
42 MS. PETRIVELLI: Well, this is for any  
43 application.

44  
45 MS. WELLS: Okay.

46  
47 MS. PETRIVELLI: The new one and the  
48 renewals.

49  
50 CHAIRMAN LOHSE: Pat, I think that that

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1 probably was put into place, if I remember right, because  
2 Staff -- Federal Subsistence Staff is extremely busy and  
3 to put something on their table for short notice would be  
4 pretty hard to do. And this is regulation that was  
5 passed by the Board. I mean this is regulation that's in  
6 place by the Board. To amend that 60 days, the Board  
7 would have to amend that 60 days if I understand  
8 correctly. Am I correct on that?

9

10 MS. PETRIVELLI: Yeah.

11

12 CHAIRMAN LOHSE: If you can't answer

13 Pat.....

14

15 MS. PETRIVELLI: Yeah.

16

17 CHAIRMAN LOHSE: I mean to change this  
18 regulation, the Board has to change this regulation,  
19 correct?

20

21 MS. PETRIVELLI: Yeah, right. But we  
22 could make a recommendation.

23

24 CHAIRMAN LOHSE: But you could make a  
25 recommendation to it.

26

27 MS. PETRIVELLI: From the evaluation  
28 process.

29

30 CHAIRMAN LOHSE: But the Board has to  
31 change it. I mean that's in place by the Board.

32

33 MS. PETRIVELLI: Yeah.

34

35 CHAIRMAN LOHSE: Bob.

36

37 MR. CHURCHILL: Yeah, through the Chair,  
38 I'd like to ask Fred John, do you have any concern with  
39 the Park denying your request for a permit? Do you think  
40 that's a real concern?

41

42 MR. JOHN: I don't have no concern about  
43 the Park personnel up there but I don't think the  
44 Anchorage office knows us that well, you know, they don't  
45 have any -- they haven't been up there except for one  
46 meeting. So they don't know about -- they never -- I  
47 don't think ever have been there. But the Park Service,  
48 they've been there, you know, they work with us so they  
49 know us pretty well.

50

00157

1 MR. CHURCHILL: Again, through the Chair,  
2 so.....

3  
4 MR. JOHN: I think Devi could take the  
5 question.

6  
7 CHAIRMAN LOHSE: We'll call her up  
8 shortly.

9  
10 MR. CHURCHILL: So I'm hearing you're  
11 very comfortable with supporting Proposal 19, you think  
12 it's valid as a participant in that process?

13  
14 MR. JOHN: (Nods affirmatively)

15  
16 CHAIRMAN LOHSE: Okay.

17  
18 MS. PETRIVELLI: We have issued the  
19 permit for six years in a row.

20  
21 CHAIRMAN LOHSE: For six years in a row.

22  
23 MS. PETRIVELLI: And last week we issued  
24 it in a week's time.

25  
26 (Laughter)

27  
28 CHAIRMAN LOHSE: Okay. Okay, with that  
29 we're to go to the Alaska Department of Fish and Game  
30 comments.

31  
32 MR. HAYNES: Thank you, Mr. Chairman.  
33 The Department's comments are on Page 58. And we oppose  
34 this proposal. We'd like to distinguish between --  
35 although we support the Batzulnetas Cultural Camp and we  
36 have every year for which the permits have been issued,  
37 we distinguish between cultural camp permits and  
38 ceremonial use of resources. And we believe that the  
39 cultural camp permit should go through a separate process  
40 and we believe that just submitting that request each  
41 year is appropriate to ensure that the cultural camp is  
42 still operating and it provides just a screen that the  
43 camp is still in operation. And as Pat has pointed out,  
44 this signing of the authority for dealing with these  
45 cultural camp permits after they've first been approved  
46 by the Board, delegating that authority to the Office of  
47 Subsistence Management should be given an opportunity to  
48 work. And I think this is a good way to start that, to  
49 see how that permit process works with that delegation of  
50 authority and it sounds like it's pretty efficient.

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1 Thank you.

2

3 CHAIRMAN LOHSE: Thank you. Any  
4 questions for Alaska Department of Fish and Game?  
5 Hearing none, we'll go on to other agency comments.  
6 National Park Service.

7

8 MS. SHARP: Thank you, Mr. Chair for the  
9 opportunity to testify on behalf of this proposal. When  
10 I submitted this proposal I did not know about the new  
11 OSM rule because, in fact, I did the same thing I always  
12 do which is the Park still has to write a special use  
13 permit regardless of whether the Office of Subsistence  
14 Management does their paperwork you can't hunt in the  
15 Park without the permit.

16

17 CHAIRMAN LOHSE: A Park permit.

18

19 MS. SHARP: It's a special use permit  
20 because it's not a law, it's not anything that's already  
21 codified in law. So last year after the final rule was  
22 published I realized that there needs to be a better way  
23 because I had to crank out my end of the permit very  
24 quickly. And I realized that we could do better. And my  
25 intent was to streamline the process. And I'd like to  
26 add a significant piece of information to the Staff  
27 analysis and that is, that Wrangell-St. Elias has a  
28 special relationship with both Chistochina Village  
29 Council and Mentasta Native Village and that relationship  
30 is a government to government relationship, that's a  
31 relationship directed by the Department -- the Secretary  
32 of the Interior, where the tribal elders and leaders have  
33 parody, it recognizes that the elders and tribal leaders  
34 are peers with our superintendent and our Park Staff.  
35 It's a very special relationship, it's an agreement.  
36 It's an agreement where we agree to do certain things.

37

38 And one of the things that we've agreed  
39 to do is to increase our communication and decrease  
40 bureaucratic red tape. And anything that we can do to  
41 streamline the communication and facilitate the good of  
42 the community and the community activities is something  
43 that we're directed to do. So to that end I put in a  
44 proposal.

45

46 And with due respect to OSM and the new  
47 regulations, I don't think it's culturally appropriate  
48 for me or for the Office of Subsistence Management to ask  
49 -- one, to ask the organizers to make their request 60  
50 days in advance, it won't happen. I don't think it's

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1 culturally appropriate or our business to provide a list  
2 of instructors. I don't feel like I'm in a position to  
3 say whether Katie John is an adequate instructor of the  
4 cultural camp. I think if the Native village chooses  
5 their instructors that's their business. I don't feel  
6 comfortable asking the villages to provide an approximate  
7 number of attendees and a minimum number of attendees and  
8 the standards for the course.

9

10                   The Park Service attends Batzulnetas  
11 Cultural Camp by invitation, we have for a number of  
12 years. We consider it an honor, we consider it -- it's  
13 something that cements our marriage, our relationship  
14 with these two communities. It's a really important  
15 thing for us to attend Cultural Camp.

16

17                   If this proposal is passed, as written,  
18 the ceremonial moose hunt will appear in the Federal  
19 regulation book and all that needs to be done is someone  
20 needs to call me and within an hour I can have the permit  
21 turned around because it's in my computer, it's quite  
22 easy to do, I can fax it over to whichever village  
23 council is requesting it, they can sign it, mail it or  
24 fax it back, they check in with a Ranger Station when  
25 they're hunting, we know what the activities are, they  
26 tell us when they get a moose. We often know when they  
27 get a moose because we're at camp eating it, we're  
28 helping skin it out or preparing it. We're very much a  
29 part of it.

30

31                   And I think -- I understand the need to  
32 honor the new OSM regulation but I do think this is a  
33 special request worthy of consideration because of the  
34 special relationship we have with these two villages.  
35 Wrangell-St. Elias has 12 villages to develop government  
36 to government relationships with. We just signed  
37 Mentasta Village Council's relationship. That's a done  
38 deal, just this past week. It's an important part of  
39 what we're required to do as a land management agency  
40 that manages land that has interest in Native activities.

41

42                   So I request your support for this  
43 proposal as written. That's the end of my testimony.

44

45                   CHAIRMAN LOHSE: Thank you, Devi. That  
46 was a good presentation. I can think of only two things  
47 that you missed that you should have added to it. And  
48 that's that the Ranger Station at Slana is next door to  
49 them.

50

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1 MS. SHARP: Uh-huh.

2

3 CHAIRMAN LOHSE: Anchorage is 400 miles  
4 away.

5

6 MS. SHARP: Right.

7

8 CHAIRMAN LOHSE: They can go to the  
9 ranger station in Slana and talk with people they know,  
10 it's called huntering. They have to write a letter to  
11 send it to Anchorage.

12

13 MS. SHARP: Joe Hicks only need to call  
14 me on the phone and it will be done

15

16 CHAIRMAN LOHSE: That's all he needs to  
17 do but he can come to see you.

18

19 MS. SHARP: Right.

20

21 CHAIRMAN LOHSE: He's not going to  
22 come.....

23

24 MS. SHARP: Right.

25

26 CHAIRMAN LOHSE: If there's a problem  
27 he's not going to want to come and go to Anchorage and  
28 see the people in Anchorage.

29

30 MS. SHARP: That's right.

31

32 CHAIRMAN LOHSE: I think that's two  
33 pieces of the puzzle that should be put in there, too.

34

35 MS. SHARP: Well, I think you were --  
36 well, I know you were at Mentasta Village, let's see when  
37 was it?

38

39 CHAIRMAN LOHSE: Two years ago.

40

41 MS. SHARP: Yeah, it was September. When  
42 Catherine Martin, very eloquently said, when we were  
43 talking about who's going to issue the Batzulnetas  
44 fishing permit and she very eloquently said we want the  
45 Park Service to issue that permit, we know them, we trust  
46 them, they're our friends, we're neighbors, we share the  
47 resource and I feel the same way about this permit. I  
48 think we will be the most effective in protecting the  
49 resource, in making sure it goes to a valid use, that the  
50 cultural camp is still going and it's an important part



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1 of the relationship that we have with these two villages,  
2 that we can help them out.

3

4 CHAIRMAN LOHSE: Any questions for Devi?  
5 Susan I saw you had your hand up.

6

7 MS. WELLS: Well, I just wanted to ask  
8 and I'm assuming, but maybe I'm wrong, but you, in turn  
9 report back to the Office of Subsistence Management when  
10 a permit is issued or -- I mean if this was to happen?

11

12 MS. SHARP: That's easily done.

13

14 MS. WELLS: I mean that would be  
15 naturally done.

16

17 MS. SHARP: Right. If there's any  
18 reporting requirements we'd be happy to do that. Earlier  
19 someone asked about whether we would not issue a permit  
20 and the only reason why I could see us not issuing a  
21 permit is if the cultural camp was not viable, if it was  
22 not happening in which case there would not be the need  
23 for the moose or if there was a very severe resource  
24 issue. The road was washed out or the moose population  
25 absolutely declined and we didn't feel, you know, after  
26 extensive analysis, but it would only be done after quite  
27 a bit of thought. It's not something I would ever  
28 foresee doing.

29

30 CHAIRMAN LOHSE: It's not something I  
31 could see you doing either simply because of the  
32 repercussions that would come out of it if you did do it  
33 and it was not justified.

34

35 MS. SHARP: I'm not going to be the one  
36 to mess with Katie's moose.

37

38 (Laughter)

39

40 CHAIRMAN LOHSE: Any other discussion.  
41 We haven't got to discussion yet, we're still on agency  
42 comments. I'm trying to speed us up again.

43

44 MR. CHURCHILL: You're just trying to  
45 trick us.

46

47 CHAIRMAN LOHSE: Okay, any other agencies  
48 that wish to comment on this? Any -- Taylor.

49

50 MR. BRELSFORD: MR. Chairman, thank you

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1 very much. The growth and the blossoming of this  
2 relationship on the local level is certainly laudable and  
3 certainly something that we all welcome between local  
4 land managers and the tribes, all of the Federal agencies  
5 have the responsibility for government to government  
6 relationships to the tribes.

7  
8           The one element that I don't think has  
9 been put on the table and I would just offer it for your  
10 consideration is the fact that the Federal Subsistence  
11 Board that is authorized in statute to manage Federal  
12 subsistence hunts. Delegation of authority from the  
13 Federal Subsistence Board to another party is a fairly  
14 sensitive matter, subject to increasing scrutiny and  
15 close review as a result of lawsuits at the present time,  
16 in addition to some changes in National Administrative  
17 policy. So I think one of the concerns in the hearts of  
18 Staff Committee members and of the office in looking at  
19 this proposal, is how far and how fast do we move the  
20 delegation of Board authorities. We're working in a new  
21 environment with the delegation of authority for in-  
22 season fisheries management. Certain steps were taken  
23 two years ago, certain steps last year, certain new steps  
24 on the table at the present time, this is a delegation of  
25 authority that was modified a year ago to provide for  
26 increased responsiveness on the part of the Office of  
27 Subsistence Management where educational camps are  
28 established. This is a routine permit issuance.

29  
30           So the only additional factor that I  
31 think was influential in some of the earlier discussions  
32 hasn't been mentioned here is we're a little concerned  
33 about the outside scrutiny of delegation of authority by  
34 the Federal Subsistence Board. This may well be a great  
35 instance and it will sort of move forward without any  
36 difficulty but if all of the educational camps were to be  
37 delegated to a local Federal land manager, that would be  
38 a fairly significant shift in responsibility and indirect  
39 oversight by the Federal Subsistence Board and I think  
40 that's been something that we've given a little care to  
41 in terms of the analysis and the proposal to evaluate the  
42 recent shift and then see if that has, in fact, come up  
43 short.

44  
45           So with that, I'll wish well in your  
46 deliberations but that's the additional element that I  
47 wanted to be sure you were familiar with. Thank you.

48  
49           CHAIRMAN LOHSE: Sit down there, Taylor,  
50 now don't run off. Bob.

00163

1 MR. CHURCHILL: I think it's well spoken  
2 but am I getting the sense that we may actually do this  
3 group harm by granting this proposal or is there a  
4 general concern with this overview process and not this  
5 one specifically?

6  
7 MR. BRELSFORD: I would like to be very  
8 clear that there are no concerns about the work of the  
9 Batzulnetas Cultural Camp or of the quality of the  
10 relationship between the Park and the camp. Not at all.  
11 It's not the instance that raises an issue. It's the  
12 precedent or the broader series of move in delegation of  
13 Board authority that has given us a bit of pause.

14  
15 MR. CHURCHILL: I guess, no, I didn't  
16 take that to be your meaning at all. I just thought we  
17 didn't want to make a group of folks a lightening rod for  
18 a lot of attention they don't want is my concern. I  
19 guess I'm kind of hearing you say we can go -- if we pass  
20 this, there doesn't seem to be any real struggle to it  
21 however somebody could make it a lightning rod and make  
22 it a matter of contention. That's kind of what I hear  
23 being said.

24  
25 MR. BRELSFORD: Let me try and be as  
26 clear as I can. I think the matter of delegation of in-  
27 season management authority has far greater consequence  
28 and is therefore more closely reviewed. No doubt, these  
29 are not of equal significance. A single educational  
30 permit that is moved into this fashion to delegation is  
31 not necessarily a big deal but if all educational permits  
32 were moved to a delegated authority in this fashion,  
33 that, I think would begin to draw some addition to  
34 educational permits broadly.

35  
36 Thank you.

37  
38 MR. CHURCHILL: Thank you.

39  
40 CHAIRMAN LOHSE: I have a question -- I  
41 have two questions, actually Taylor. If the Board would  
42 pass this, are they delegating authority or are they  
43 putting something into regulation in regard to one  
44 educational camp?

45  
46 MR. BRELSFORD: It probably amounts to  
47 both. On the one hand it's delegating because the permit  
48 is issued and that's a legal action.

49  
50 CHAIRMAN LOHSE: It's a legal action.

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1 MR. BRELSFORD: Of the year. And at the  
2 same time it is established in ongoing regulation so the  
3 expectation on the part of the users is that it's a  
4 secure opportunity so I think it's probably both.

5  
6 CHAIRMAN LOHSE: Thank you. The other  
7 question I had, was, that if we passed this we have to  
8 remember that this can also be our way of showing that we  
9 support this general idea. The Board has the authority  
10 and the responsibility to decide whether this is a good  
11 move or not and have the ability to reject anything that  
12 we pass because all we're doing is making a  
13 recommendation that this is, in our estimation, a good  
14 direction to go. Am I correct on that?

15  
16 MR. BRELSFORD: Of course, that's right.  
17 And I think, you know, the hope in my comments is that  
18 you will still make a judgment about the circumstance  
19 before you with awareness about some other considerations  
20 that the Board may have to take into account. I'm not  
21 raising these points in order to influence your vote only  
22 to ensure that the full context is on the table.

23  
24 CHAIRMAN LOHSE: Then we have to decide  
25 whether it's necessary. Fish and Game Advisory  
26 Committees. Any other agency that wanted to speak. With  
27 that we'll go to written public comments.

28  
29 MS. WILKINSON: Mr. Chairman, the Eastern  
30 Interior Regional Advisory Council supports this proposal  
31 as it was written by the Park Service. The Council  
32 supports having a local agency work and continue to  
33 develop a working relationship with the camp organizers.

34  
35 The Wrangell-St. Elias Subsistence  
36 Resource Commission supports this proposal because it  
37 would streamline the process for obtaining a permit to  
38 hunt the ceremonial moose for the Batzulnetas Cultural  
39 Camp. They stated that the new OSM regulations are still  
40 more cumbersome than the proposed regulation.  
41 Chistochina Village and the National Park Service have a  
42 government to government relationship and the SRC feels  
43 that it's important to recognize that special  
44 relationship.

45  
46 That's the end of the comments.

47  
48 CHAIRMAN LOHSE: At this point in time if  
49 there is no other public comment -- the only public  
50 comment I had on this was by Gloria who spoke in support

00165

1 of it and that is it as far as I can see. Did I miss  
2 anybody? Okay, Regional Council deliberations. A motion  
3 is in order to put this on the table for deliberation.

4

5 MS. WELLS: So moved.

6

7 MR. CHURCHILL: So moved.

8

9 CHAIRMAN LOHSE: Which one's moved and  
10 which one is second?

11

12 MR. CHURCHILL: Second. I will second  
13 Susan's motion.

14

15 CHAIRMAN LOHSE: It's been moved and  
16 seconded to put 19 on the table.....

17

18 MS. WELLS: As written.

19

20 CHAIRMAN LOHSE: .....as written.

21 Discussion.

22

23 MS. WELLS: Mr. Chair.

24

25 CHAIRMAN LOHSE: Susan.

26

27 MS. WELLS: I thoroughly understand the  
28 government to government relationship and why Katie  
29 John's people would want this proposal to go through, for  
30 the streamlining and then also because they have that  
31 relationship, they're working with people that they know  
32 and have a trust relationship with. On the same hand --  
33 well, I guess in the same light, it's really frustrating  
34 for my area to have to deal with Juneau over issues in  
35 our area and, you know, the regulations from Juneau don't  
36 always fit us like a glove. But then there's also that  
37 we do have the Office of Subsistence Management that is  
38 delegated with this task, and I am wondering if -- I  
39 guess if you were to be asked to -- well, you have been  
40 asked and in light of what the tribes have said, or the  
41 people up there, is there that understanding of the why?  
42 And something that you could eventually turn loose if it  
43 -- I guess I want don't want to see a relationship, even  
44 though at a distance, be undermine either, I would not  
45 want the tribe or even the people of that area to get --  
46 when they have to come for something else, maybe this  
47 would not be so favorable in their -- am I clearer than  
48 mud?

49

50 CHAIRMAN LOHSE: No, you're -- do you

00166

1 understand what she's asking, Pat? If you don't I think  
2 I can say what she does.

3

4 MS. PETRIVELLI: Oh, that if they go to  
5 the Park Service for this culture camp, that we'd break a  
6 relationship with them for other actions?

7

8 CHAIRMAN LOHSE: That's kind of.....

9

10 MS. PETRIVELLI: We have regulations and  
11 they could -- I mean, I think we're very responsive to  
12 all the tribal organizations and we issued quite a number  
13 of Special Actions in the CRNA area. Not only did we do  
14 the one for Batzulnetas, but we did one for two other  
15 culture camps in the area last summer. So I think we're  
16 flexible enough with -- that whole Special Action process  
17 recognizes the need to work with the culture camps on a  
18 case-by-case basis and, I think, we're pretty responsive.  
19 But also, I mean, we can understand also the Park Service  
20 issue that we've issued the same permit six years in a  
21 row, you know, so.....

22

23 MS. WELLS: Then maybe can I put it this  
24 way? Do you trust the Park Service to do your job very  
25 well?

26

27 (Laughter)

28

29 MS. PETRIVELLI: I trust the Park  
30 Service, yes.

31

32 MS. WELLS: Thank you.

33

34 CHAIRMAN LOHSE: Susan, I'll rephrase  
35 that question because I see what can be an issue. And I  
36 don't mean this bad, but anytime that you deal with  
37 chains of command and authority and -- I don't like to  
38 use the word bureaucracy, but I'll have to stick  
39 bureaucracy in there, you have to be careful that you  
40 follow the right order without alienating somebody else.  
41 And if this happened, would somebody else feel like their  
42 turf has been stepped on to the point where they have to  
43 have to react in a different situation, because if you  
44 went to them for one, why don't you go to them for  
45 something else type thing, you know. I mean, is that  
46 kind of what you were asking?

47

48 Yes, Susan.

49

50 MS. WELLS: And I'm wondering if it would

00167

1 be maybe helpful if we instead of the exact wordage to  
2 say that we would request that the -- I got to get these  
3 agencies, OSM.....

4

5 MS. PETRIVELLI: Correct.

6

7 MS. WELLS: .....to make this happen.

8

9 CHAIRMAN LOHSE: OSM can't make it  
10 happen.

11

12 MS. WELLS: Okay.

13

14 CHAIRMAN LOHSE: See, that's the thing  
15 that we have to realize, is that we're asking the Board  
16 to make this happen, if we pass this.

17

18 MS. WELLS: And then they.....

19

20 CHAIRMAN LOHSE: The Board has already  
21 made the other one happen, that is a Board regulation to  
22 OSM right now.

23

24 MS. WELLS: Okay.

25

26 CHAIRMAN LOHSE: And if we pass this,  
27 this, what we're asking the Board to do is to make an  
28 additional regulation that basically overrides their  
29 other regulation in this case.

30

31 MS. WELLS: Okay.

32

33 CHAIRMAN LOHSE: And it's the Board that  
34 makes that decision.

35

36 MS. WELLS: All right. Thank you.

37

38 CHAIRMAN LOHSE: Bob.

39

40 MR. CHURCHILL: Yeah, I'd like to speak  
41 in favor of proposal 19. If I'm understanding the  
42 concern by OSM and the other agencies, is that there may  
43 be a perception that the delegation of authority has gone  
44 too far and it is, maybe, becoming lax. And, again,  
45 perception from other agencies. I think we've got a  
46 fairly unique situation, we have documented history of  
47 six years of the permit being granted, we have clear and  
48 convincing testimony, the viability of the cultural camp.  
49 We have testimony from the agency that will be acting on  
50 this permit that they're not only in line of sight, but

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1 they visually attend and participate in the event every  
2 year. It seems to maximize the involvement. It really  
3 is an arguable case for this kind of a proposal. I think  
4 we can defend it against other less desirable actions. I  
5 don't see us having to generalize this to every  
6 educational camp. I think this argues an excellent case  
7 for this kind of an action by this Advisory Council. I  
8 intend to vote for it.

9

10 CHAIRMAN LOHSE: Fred, comment?

11

12 MR. ELVSAAS: No, I support the proposal.  
13 You know, after all the words and so forth are said and  
14 done, what we're doing is cutting the time frame for this  
15 permit so that you can eliminate the 60 day requirement.  
16 And do it in a timely fashion when the people need it.  
17 And I think it's unfortunate that the 60 days is in the,  
18 so called, streamlined action. So I support the  
19 proposal.

20

21 CHAIRMAN LOHSE: I'm going to make one  
22 more comment on it. And I like to play devil's advocate  
23 anyhow. I'd point out things aren't always as rosy as  
24 they appear sometimes, and I really appreciate the people  
25 that are currently working in the National Park up there  
26 in Wrangell/St. Elias right now. I feel like we have a  
27 very -- I'll use the word sympathetic Park Service up  
28 there, they're very attuned to the local needs, they take  
29 part in the local needs. But we have to remember one  
30 thing, we are dealing with something that can change with  
31 administrations, it has in the past, it can in the  
32 future. And we're basing this proposal and its  
33 implementation on a relationship that's developed right  
34 now, but if we really want to be interested in, it is  
35 between individuals because the individuals that make up  
36 the Park Service right there, right now, are the  
37 individuals that have developed trust and everything  
38 else. This cycle of trust can be broken. This cycle of  
39 trust could go to a -- and I hope I never see that day,  
40 but it could go to an antagonistic situation, it's  
41 happened before in different areas. And what I'm  
42 wondering is, are we, by any chance, limited -- I mean,  
43 are we taking out protection for the subsistence user by  
44 passing this and not having it go to a main office that  
45 has regulations in place and oversight and a review  
46 process and things like that? And putting it the hands  
47 of, and again, this is nothing derogatory about the  
48 people involved, but putting in the hands of individuals  
49 who currently have a very good relationship, but there's  
50 no guarantee that that relationship goes on into the



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1 future. And, again, like I said, that's not personal  
2 feeling, totally, but we have seen things like this  
3 happen in the past.

4

5                   Devi, would you like to answer that?

6

7                   MS. SHARP: Thank you, Mr. Chair. I'd  
8 like to point out that if this proposal is implemented as  
9 written, it would be in the regulations. It's actually  
10 in the book every year. So, in a way, you could view it  
11 as protecting it more than it being up to the Office of  
12 Subsistence Management on a year-to-year basis, because  
13 it would be in the Code of Federal Regulations unless  
14 changed.

15

16                   CHAIRMAN LOHSE: So it would take an act  
17 of the Board to take it back out of regulation?

18

19                   MS. SHARP: That's correct.

20

21                   CHAIRMAN LOHSE: Okay.

22

23                   MR. CHURCHILL: Call the question.

24

25                   CHAIRMAN LOHSE: If there's no further  
26 question, the question is called.

27

28                   (No audible responses)

29

30                   CHAIRMAN LOHSE: Okay. All in favor of  
31 the motion signify by saying aye.

32

33                   IN UNISON: Aye.

34

35                   CHAIRMAN LOHSE: All opposed signify by  
36 saying nay.

37

38                   (No opposing responses)

39

40                   CHAIRMAN LOHSE: Motion carries. Where  
41 are we for time?

42

43                   MR. ELVSAAS: We're right about.....

44

45                   CHAIRMAN LOHSE: Quarter to six? You  
46 were supposed to stop me at 5:00 o'clock.

47

48                   MR. ELVSAAS: Couldn't.

49

50                   (Laughter)

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1 MR. ELVSAAS: You were on a roll.

2

3 CHAIRMAN LOHSE: Okay. We will recess  
4 this meeting until 8:30 tomorrow morning.

5

6 (Off record)

7

8 (TO BE CONTINUED)

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1 C E R T I F I C A T E

2

3 UNITED STATES OF AMERICA )

4 ) ss.

5 STATE OF ALASKA )

6

7 I, Joseph P. Kolasinski, Notary Public in and for the

8 state of Alaska and reporter for Computer Matrix Court

9 Reporters, LLC, do hereby certify:

10

11 THAT the foregoing pages numbered 02 through 170 contain a

12 full, true and correct Transcript of the SOUTHCENTRAL FEDERAL

13 SUBSISTENCE REGIONAL ADVISORY COUNCIL MEETING, VOLUME I, taken

14 electronically by Nathaniel Hile on the 6th day of March 2002,

15 beginning at the hour of 8:00 o'clock a.m. at Anchorage,

16 Alaska;

17

18 THAT the transcript is a true and correct transcript

19 requested to be transcribed and thereafter transcribed by under

20 my direction and reduced to print to the best of our knowledge

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23 THAT I am not an employee, attorney, or party interested

24 in any way in this action.

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26 DATED at Anchorage, Alaska, this 13th day of March 2002.

27

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31

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33

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Joseph P. Kolasinski  
Notary Public in and for Alaska  
My Commission Expires: 04/17/04 ☐